

Questions for the Record by Democratic Members

Questions from Chair Lowenthal for Ms. Rebecca Shelton

1. *Ms. Shelton, in the coming months, communities across the country will soon see a huge influx of funds to clean up legacy pollution sites. This will be more money than has ever gone out the door in a single year to address these issues.*

But as we all know, money alone isn't enough; we need skilled workers capable of completing these reclamation projects.

How are states and communities expanding workforce development so that they are ready to receive these federal clean-up funds?

Thank you for this question. Attention to workforce development is certainly critical to effective implementation. I think the first step is to educate existing contractors about this opportunity. There may be contractors that have the skills to do the work but that have not been aware of the opportunity simply because many of these AML programs have been fairly small in recent years. Groups like mine and, in my state, the agency itself are eager to help educate new contractors about the program and the bidding process.

Simultaneously it is important to understand what will be necessary to attract new contractors. We've learned that creating larger contracts will help attract new contractors. Due to the small amount of funds available for this work in recent years, in many cases AML contracts have been relatively small. States will now have the funds to tackle larger and more expensive projects. Also, in the legislation there is a provision that allows states/tribes to aggregate multiple AML sites/projects into a single contract. We think it is really important to support states/tribes in developing those project aggregation practices, not only because it will help ensure that there are larger contracts, but because bundling projects by geography and project type is also likely to create economies of scale that are more cost effective. In addition, the prevailing wage requirement is likely to draw a lot of new interest to the program, especially for union contractors that may have previously been unable to compete.

Last, in addition to making this opportunity more attractive and feasible for existing contractors, it will be important that we develop job training opportunities as soon as possible. Paid, on the job training, like apprenticeships, are a promising avenue through which to make training accessible for individuals in coal communities. As referenced in my written testimony, Ohio River Valley Institute in collaboration with ReImagine Appalachia, Appalachian Citizens' Law Center and other partners, has developed a set of recommendations specifically pertaining to the creation of decent and living-wage jobs in the AML sector. We recommend that:

- Apprenticeships be utilized for AML contracts above \$1 million and up to 0.5% of the value of those contracts should support pre-apprenticeship programs. However, recognizing that it will take time in some states to grow such programs, DOI could explore a waiver process that permits offering a contract to the lowest bidder if none of the bidding contractors have an apprenticeship program.

- Increasing standards for apprenticeship programs across all AML contracts be established. For example, increase the required apprenticeship hours or number of apprentices employed on AML projects over time.

The full recommendations are available online at: <https://ohiorivervalleyinstitute.org/wp-content/uploads/2022/03/AML-Labor-Policy-Recommendations-March-2022.pdf>

2. Are new training programs necessary to help grow this workforce, and what role can the Interior Department play in establishing worker training programs?

We believe that training programs are necessary to help grow the workforce, particularly to help former coal workers and other individuals that live in AML-impacted communities gain the skills and certifications to do this work. DOI and OSMRE, in partnership with state and tribal officials, should conduct a study to identify workforce needs and gaps for program implementation and use that study as the basis for partnering with the Economic Development Administration or the Appalachian Regional Commission to fund AML workforce training and business development projects in areas with insufficient workforce capacity to remediate those sites. Alternatively, beyond a simple funding partnership, OSMRE could lead the creation of a working group consisting of state/tribal AML agencies, federal agencies such as the ARC and EDA, unions, community colleges, and non-profit organizations that could work in coordination to develop a skilled workforce for these AML investments.

In addition, as stated in my response to the previous question, DOI can seek opportunities to support contractors in offering apprenticeship programs. Though the IJA does not mandate support for training program, at minimum it will be important for DOI to articulate a suite of options in the program guidance that will help support job training. For example, the EPA guidance for the IJA SRFs encouraged states to support pre-apprenticeship, registered apprenticeship, and youth training programs to support pathways to employment. The EPA also stated that it will provide information and tools to support such efforts through collaboration with the Department of Labor. DOI should similarly offer such support.