

118TH CONGRESS
2D SESSION

S. 3877

To amend the Workforce Innovation and Opportunity Act to permit greater flexibility in carrying out incumbent worker training programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2024

Mr. PETERS (for himself, Mr. BUDD, and Mr. HICKENLOOPER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Workforce Innovation and Opportunity Act to permit greater flexibility in carrying out incumbent worker training programs, 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 “Lifelong Learning
5 Act”.

1 **SEC. 2. INCUMBENT WORKER TRAINING AND TRANSI-**
2 **TIONAL JOBS STANDARD RESERVATION OF**
3 **FUNDS.**

4 Section 134(d) of the Workforce Innovation and Op-
5 portunity Act (29 U.S.C. 3174(d)) is amended—

6 (1) in paragraph (4)(A)(i), by striking “20”
7 and inserting “30”; and

8 (2) in paragraph (5), in the matter preceding
9 subparagraph (A), by striking “10” and inserting
10 “15”.

11 **SEC. 3. REPORTING INCUMBENT WORKER TRAINING OUT-**
12 **COMES.**

13 Section 116(d)(2)(A) of the Workforce Innovation
14 and Opportunity Act (29 U.S.C. 3141(d)(2)(A)) is amend-
15 ed—

16 (1) by striking “(A) information” and inserting
17 “(A)(i) information”;

18 (2) in clause (i), as so designated, by adding
19 “and” at the end; and

20 (3) by adding at the end the following:

21 “(ii) in the case of a State in which local
22 areas are implementing incumbent worker
23 training programs under section 134(d)(4), in-
24 formation on the levels of performance achieved
25 for those programs with respect to the primary
26 indicators of performance described in sub-

1 section (b)(2)(A), which information shall be
 2 used by the State and the Secretary of Labor
 3 in conjunction with the Secretary of Education
 4 to adapt the State adjusted levels of perform-
 5 ance with respect to such indicators for the
 6 adult program and for the dislocated worker
 7 program authorized under chapter 3 of subtitle
 8 B.”.

9 **SEC. 4. EXPANDING THE FLEXIBILITY OF ONE-STOP OPERA-**
 10 **TORS.**

11 Section 121(d)(2) of the Workforce Innovation and
 12 Opportunity Act (29 U.S.C. 3151(d)(2)) is amended—

13 (1) in subparagraph (A), by striking “; and”
 14 and inserting a semicolon;

15 (2) in subparagraph (B)(vi), by striking the pe-
 16 riod and inserting “; and”; and

17 (3) by adding at the end the following:

18 “(C) subject to approval from the chief
 19 elected official and Governor and in accordance
 20 with any other eligibility criteria established by
 21 the State, and notwithstanding subparagraph
 22 (B), may be a local board, if the local board—

23 “(i) enters into a written agreement
 24 with the chief elected official and clarifies
 25 how the local board will carry out the func-

1 tions and responsibilities of a one-stop op-
2 erator in a manner that complies with ap-
3 propriate internal controls to prevent any
4 conflicts of interest, which shall include
5 how the local board, while serving as a
6 one-stop operator, will comply with—

7 “(I) the relevant Office of Man-
8 agement and Budget circulars relating
9 to conflicts of interest; and

10 “(II) any applicable State conflict
11 of interest policy; and

12 “(ii) complies with the other applica-
13 ble requirements of this subsection.”.

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