

118TH CONGRESS
1ST SESSION

S. 2722

To address the needs of workers in industries likely to be impacted by rapidly evolving technologies.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 5, 2023

Mr. DURBIN (for himself, Mr. WARNOCK, Ms. CORTEZ MASTO, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To address the needs of workers in industries likely to be impacted by rapidly evolving technologies.

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 “Investing in Tomor-
5 row’s Workforce Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) A 2019 Government Accountability Office
9 report found that while there are many Federal em-
10 ployment and training programs, their total funding

1 levels remain at nearly \$20,000,000,000, or less
2 than 0.1 percent of the gross domestic product of
3 the United States.

4 (2) The number of workers receiving federally
5 supported training has declined in the past 3 dec-
6 ades as advances in technology have simultaneously
7 shifted labor market demand over time.

8 (3) Job losses from automation are more likely
9 to impact women, people of color, and workers mak-
10 ing less than \$40,000 annually.

11 (4) The COVID-19 pandemic accelerated
12 trends in automation, with 43 percent of businesses
13 in the World Economic Forum's Future of Jobs sur-
14 vey indicating they plan to reduce their workforce as
15 a result of technology integration.

16 (5) Strong Federal investment in expanding
17 training services for workers whose jobs may be lost
18 due to automation could prepare the United States
19 workforce to better adapt to changes in the labor
20 market and enter into skilled positions in techno-
21 logically oriented occupations and industries.

22 (6) A focus on preparing the workforce of the
23 United States for jobs that utilize advanced tech-
24 nologies and require digital literacy could grow

1 wages, increase economic productivity, and boost the
2 competitiveness of the United States.

3 (7) Studies show that the United States would
4 need to invest \$72,000,000,000 more annually just
5 to reach the average investment in workforce policies
6 of other industrial countries. For training alone, the
7 United States would need to invest nearly
8 \$8,500,000,000 just to reach the average amount in-
9 vested by member countries of the Organisation on
10 Economic Co-operation and Development.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) **AUTOMATION.**—The term “automation”
14 means a device, process, or system that functions
15 without continuous input from an operator, includ-
16 ing—

17 (A) advanced technologies, such as—

18 (i) data collection, classification proc-
19 essing, and analytics; and

20 (ii) 3-D printing, digital design and
21 simulation, and digital manufacturing;

22 (B) robotics, including collaborative robot-
23 ics, and worker augmentation technology;

24 (C) autonomous vehicle technology; or

25 (D) autonomous machinery technology.

1 (2) COVERED POPULATION.—The term “cov-
2 ered population” means a population of individuals
3 with a barrier to employment described in subpara-
4 graphs (A) through (N) of section 3(24) of the
5 Workforce Innovation and Opportunity Act (29
6 U.S.C. 3102(24)).

7 (3) DIGITAL LITERACY.—The term “digital lit-
8 eracy” has the meaning given the term in section
9 60301 of the Infrastructure Investment and Jobs
10 Act (47 U.S.C. 1721).

11 (4) DISLOCATED WORKER.—The term “dis-
12 located worker” has the meaning given the term in
13 section 3 of the Workforce Innovation and Oppor-
14 tunity Act (29 U.S.C. 3102).

15 (5) ELIGIBLE PARTNERSHIP.—The term eligible
16 partnership means an industry or sector partnership,
17 as defined in section 3 of the Workforce Innovation
18 and Opportunity Act, except that—

19 (A) for purposes of applying paragraph
20 (26)(A)(iii) of that section, the term “institu-
21 tion of higher education” has the meaning given
22 the term in section 101 of the Higher Edu-
23 cation Act of 1965 (20 U.S.C. 1001); and

24 (B) the partnership shall include, in addi-
25 tion to the representatives described in clauses

1 (i) through (iii) of section 3(26)(A) of the
2 Workforce Innovation and Opportunity Act,
3 representatives of—

4 (i) a State workforce development
5 board or a local workforce development
6 board; and

7 (ii) an economic development organi-
8 zation.

9 (6) IN-DEMAND INDUSTRY SECTOR OR OCCUPA-
10 TION.—The term “in-demand industry sector or oc-
11 cupation” has the meaning given the term in section
12 3 of the Workforce Innovation and Opportunity Act
13 (29 U.S.C. 3102).

14 (7) INTEGRATED EDUCATION AND TRAINING.—
15 The term “integrated education and training” has
16 the meaning given the term in section 203 of the
17 Workforce Innovation and Opportunity Act (29
18 U.S.C. 3272).

19 (8) LOCAL AND STATE WORKFORCE DEVELOP-
20 MENT BOARDS.—The terms “local workforce devel-
21 opment board” and “State workforce development
22 board” have the meanings given the terms “local
23 board” and “State board”, respectively, in section 3
24 of the Workforce Innovation and Opportunity Act
25 (29 U.S.C. 3102).

1 (9) SECRETARY.—The term “Secretary” means
2 the Secretary of Labor.

3 (10) TRAINING SERVICES.—The term “training
4 services” means training services described in sec-
5 tion 134(c)(3)(D) of the Workforce Innovation and
6 Opportunity Act (29 U.S.C. 3174(c)(3)(D)) and
7 may include digital literacy skills.

8 **SEC. 4. GRANTS TO IMPROVE TRAINING FOR WORKERS IM-**
9 **PACTED BY AUTOMATION.**

10 (a) GRANTS AUTHORIZED.—

11 (1) IN GENERAL.—From the amounts appro-
12 priated under subsection (g) and beginning in fiscal
13 year 2024, the Secretary shall award grants, on a
14 competitive basis, to eligible partnerships to support
15 demonstration and pilot projects relating to the
16 training needs of workers who are, or are likely to
17 become, dislocated workers as a result of automa-
18 tion.

19 (2) DURATION.—A grant awarded under this
20 section shall be for a period not to exceed 4 years.

21 (b) APPLICATIONS.—

22 (1) IN GENERAL.—To be eligible to receive a
23 grant under this section, an eligible partnership shall
24 submit an application to the Secretary at such time,

1 in such manner, and containing such information as
2 the Secretary shall reasonably require.

3 (2) CONTENTS.—Each application submitted
4 under paragraph (1) shall include a description of
5 the demonstration or pilot project to be completed
6 with the grant funds, which description shall in-
7 clude—

8 (A) a description of the members of the el-
9 igible partnership who will be involved in the
10 demonstration or pilot project and the services
11 each member will provide;

12 (B) a description of the training services
13 that will be available to individuals participating
14 in the demonstration or pilot project, which
15 may include—

16 (i) a plan to train dislocated workers
17 from industries likely to be impacted by
18 automation and transition the workers into
19 regionally in-demand industry sectors or
20 occupations; and

21 (ii) a plan to partner with local busi-
22 nesses to retrain, upskill, and re-deploy
23 workers within an industry as an alter-
24 native to layoffs;

1 (C) a plan to provide workers with tech-
2 nology-based skills training, which may include
3 training to provide skills related to coding, sys-
4 tems engineering, or information technology se-
5 curity, in addition to other skills;

6 (D) a description of the goals that the eli-
7 gible partnership intends to achieve to upskill
8 workers and prepare them for in-demand indus-
9 try sectors or occupations; and

10 (E) a description of how and which covered
11 populations within the area will be supported
12 through this grant, including a plan for stake-
13 holder engagement.

14 (c) PRIORITIES.—In awarding grants under this sec-
15 tion, the Secretary shall—

16 (1) first give priority to eligible partnerships
17 that are located in areas with a high percentage of
18 individuals from covered populations; and

19 (2) to the extent amounts remain available for
20 additional grants after carrying out paragraph (1),
21 give priority to—

22 (A) eligible partnerships that are located in
23 an area with a high concentration of—

24 (i) industries with a higher likelihood
25 of being impacted by automation; or

1 (ii) industries included in in-demand
2 industry sectors, as determined under sub-
3 paragraphs (A)(i) and (B) of section 3(23)
4 of the Workforce Innovation and Oppor-
5 tunity Act (29 U.S.C. 3102(23));

6 (B) eligible partnerships—

7 (i) with a plan to provide incumbent
8 worker training—

9 (I) to assist workers in obtaining
10 the skills necessary to retain employ-
11 ment or avert layoffs; or

12 (II) that allows a worker working
13 for an employer to acquire new skills
14 that allow the worker to obtain a
15 higher-skilled or higher-paid position
16 with such employer; and

17 (ii) that partner with local employers
18 that intend to backfill the pre-training po-
19 sitions of the incumbent workers by hiring
20 new workers to fill those positions;

21 (C) eligible partnerships that will provide
22 workers with a transportation stipend, paid sick
23 leave, paid family and medical leave, access to
24 child care services, or other employment bene-
25 fits; or

1 (D) eligible partnerships with a plan to de-
2 velop a shared training curriculum that can be
3 used across local and regional networks of em-
4 ployers and training providers.

5 (d) USE OF FUNDS.—An eligible partnership that re-
6 ceives a grant under this section shall use the grant funds
7 for 1 or more of the following:

8 (1) Providing training services under the dem-
9 onstration or pilot project, which may include train-
10 ing services that prepare workers for in-demand in-
11 dustry sectors or occupations.

12 (2) Providing assistance for employers in devel-
13 oping a staff position for an individual who will be
14 responsible for supporting training services provided
15 under the grant.

16 (3) Purchasing equipment or technology nec-
17 essary for training services provided under para-
18 graph (1).

19 (4) Providing job search and other transitional
20 assistance to workers in industries with high rates of
21 job loss.

22 (5) Providing a training stipend to workers for
23 training services.

24 (6) Providing integrated education and train-
25 ing.

1 (e) REPORT.—

2 (1) IN GENERAL.—Not later than 1 year after
3 an eligible partnership’s completion of a demonstra-
4 tion or pilot project supported under this section,
5 the eligible partnership shall prepare and submit to
6 the Secretary a report regarding—

7 (A) the number of workers who received
8 training services through the demonstration or
9 pilot project;

10 (B) the number of such workers who suc-
11 cessfully transitioned into a new position fol-
12 lowing completion of the training services;

13 (C) the number of individuals who success-
14 fully transitioned into an in-demand industry
15 sector or occupation following completion of the
16 training services;

17 (D) annual earnings data for individuals
18 who have completed training services through
19 the demonstration or pilot project;

20 (E) the percentage of individuals described
21 in subparagraph (D) who are in education or
22 training activities, or in employment, during the
23 second quarter after exit from the training serv-
24 ices;

1 (F) the percentage of individuals described
2 in subparagraph (D) who are in education or
3 training activities, or in employment, during the
4 fourth quarter after exit from the training serv-
5 ices; and

6 (G) any practices used by the partnership
7 that should be considered best practices with
8 respect to training workers in industries that
9 have, or are expected to have, high rates of job
10 loss as a result of automation.

11 (2) DISAGGREGATION.—Each eligible partner-
12 ship shall provide the information required under
13 subparagraphs (A) through (F) of paragraph (1) in
14 the aggregate and disaggregated by type of training
15 service and by age, gender, and race of the workers.

16 (f) GENERAL REQUIREMENTS.—An eligible partner-
17 ship that receives a grant under this section shall use the
18 grant funds in a manner that is consistent with the labor
19 standards and protections described in section 181 of the
20 Workforce Innovation and Opportunity Act (29 U.S.C.
21 3241) and nondiscrimination provisions described in sec-
22 tion 188 of such Act (29 U.S.C. 3248).

23 (g) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to carry out this section

1 such sums as may be necessary for fiscal years 2024
2 through 2028.

3 **SEC. 5. EXPANSION OF WORKER TRAINING SERVICES.**

4 (a) ADULT AND DISLOCATED WORKER EMPLOY-
5 MENT AND TRAINING.—Section 134(d)(1)(A) of the
6 Workforce Innovation and Opportunity Act (29 U.S.C.
7 3174(d)(1)(A)) is amended—

8 (1) in clause (xi), by striking “and” at the end;

9 (2) in clause (xii), by striking the period and in-
10 serting “; and”; and

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

12 “(xiii) training programs for individ-
13 uals who are, or are likely to become, dis-
14 located workers as a result of automation,
15 including activities that prepare the indi-
16 viduals for occupations in the technology
17 sector.”.

18 (b) NATIONAL DISLOCATED WORKER GRANTS.—Sec-
19 tion 170 of the Workforce Innovation and Opportunity Act
20 (29 U.S.C. 3225) is amended—

21 (1) in subsection (b)(1)(A), by inserting “ad-
22 vances in automation technology,” before “plant clo-
23 sures,”; and

24 (2) by adding at the end the following:

1 “AUTHORIZATION OF APPROPRIATIONS.—In addition
2 to any funds reserved under section 132(a)(2)(A) to carry
3 out this section, there are authorized to be appropriated
4 to carry out this section \$40,000,000 for each of fiscal
5 years 2024 through 2028.”.

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