

118TH CONGRESS  
1ST SESSION

# S. 2138

To require the Secretary of Labor to take initiatives to measure the impact of automation on the workforce in order to inform workforce development strategies, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 2023

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

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## A BILL

To require the Secretary of Labor to take initiatives to measure the impact of automation on the workforce in order to inform workforce development strategies, 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 “Workforce Data for  
5 Analyzing and Tracking Automation Act of 2023” or the  
6 “Workforce DATA Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1           (1) AUTOMATION.—The term “automation”  
2           means using technology to produce a good or service  
3           previously produced by human work.

4           (2) BOARD; SUBCOMMITTEE.—The term  
5           “Board” or “Subcommittee” means the advisory  
6           board or subcommittee established or formed under  
7           section 4(a).

8           (3) SECRETARY.—The term “Secretary” means  
9           the Secretary of Labor.

10 **SEC. 3. STUDY BY THE NATIONAL ACADEMIES OF**  
11 **SCIENCES, ENGINEERING, AND MEDICINE ON**  
12 **MEASURING THE IMPACT OF AUTOMATION**  
13 **ON THE WORKFORCE.**

14           (a) IN GENERAL.—Not later than 6 months after the  
15           date of enactment of this Act, the Secretary shall request  
16           the National Academies of Sciences, Engineering, and  
17           Medicine to enter into an arrangement with the Secretary  
18           for the National Academies of Sciences, Engineering, and  
19           Medicine to conduct a consensus study on how to measure  
20           the impact of automation on the workforce, including job  
21           creation, job displacement, job retention, and the shifting  
22           of skills in demand due to automation.

23           (b) CONTENTS.—The study under subsection (a)  
24           shall—

1           (1) include a review of workforce data programs  
2 used by the Bureau of Labor Statistics, as of the  
3 date of enactment of this Act, for measuring the im-  
4 pact of automation on the workforce;

5           (2) identify and review other potential data  
6 sources for measuring such impact;

7           (3) identify appropriate statistical methods for  
8 using and integrating other data sources to supple-  
9 ment or enhance the workforce data programs de-  
10 scribed in paragraph (1); and

11           (4) advise the Bureau of Labor Statistics on re-  
12 search needed to acquire, evaluate, and incorporate  
13 additional data sources to adequately measure and  
14 assess, on an ongoing basis—

15               (A) industry sectors and occupations sig-  
16 nificantly impacted by automation;

17               (B) jobs and occupations created or sub-  
18 stantially changed as a result of automation;

19               (C) occupational shifts in labor demand,  
20 including the number of workers displaced (or  
21 with a change in earnings) due to automation,  
22 and the demographics of such workers, such as  
23 the race, gender, age, level of education, loca-  
24 tion, employment status, and earnings of such  
25 workers;

1           (D) the consequences of displacement due  
2           to automation, including the consequences of  
3           workers becoming subsequently unemployed,  
4           exiting from the workforce, entering retraining,  
5           changing positions within a company, and expe-  
6           riencing a change in earnings;

7           (E) changes to workforce skills in demand  
8           as a result of automation; and

9           (F) additional data recommended by the  
10          Board or Subcommittee under section  
11          4(e)(1)(A)(iii).

12         (c) REPORT.—Not later than 2 years after the date  
13         of enactment of this Act, the Secretary shall submit to  
14         Congress, and make publicly available, a report on the re-  
15         sults of the study under subsection (a).

16         (d) PLAN FOR BUREAU OF LABOR STATISTICS.—Not  
17         later than 1 year after the date on which the Secretary  
18         submits the report to Congress under subsection (c), the  
19         Secretary shall make publicly available a plan for how the  
20         Bureau of Labor Statistics shall respond to the findings  
21         of the study contained in such report.

1 **SEC. 4. INPUT ON IMPACT OF AUTOMATION FROM WORK-**  
2 **FORCE ADVISORY BOARD OR SUB-**  
3 **COMMITTEE.**

4 (a) IN GENERAL.—The Secretary shall establish an  
5 advisory board, or form a subcommittee of an advisory  
6 board that exists on the date of enactment of this Act,  
7 to provide recommendations on addressing the impact of  
8 automation on the workforce.

9 (b) MEMBERSHIP.—The Board or Subcommittee  
10 shall consist of nationally representative members, includ-  
11 ing the balanced participation of—

12 (1) State boards, as defined in section 3 of the  
13 Workforce Innovation and Opportunity Act (29  
14 U.S.C. 3102);

15 (2) labor organizations;

16 (3) industry representatives;

17 (4) nonprofit entities, or community-based or-  
18 ganizations, with experience researching the impact  
19 of automation on the workforce;

20 (5) academic experts in the field of workforce  
21 development, labor economics, and program evalua-  
22 tion; and

23 (6) any other stakeholders the Secretary deter-  
24 mines appropriate.

25 (c) DUTIES.—

1           (1) RECOMMENDATIONS FOR ADDITIONAL  
2 DATA.—

3           (A) INITIAL EVALUATION.—Not later than  
4 6 months after the date of enactment of this  
5 Act, the Board or Subcommittee shall—

6           (i) identify additional types of data re-  
7 lated to the impact of automation on the  
8 workforce that would inform actions of  
9 business and labor stakeholders;

10           (ii) identify administrative data need-  
11 ed to guide policy formation related to eas-  
12 ing impacts of automation; and

13           (iii) for purposes of the assessment  
14 under section 3(b)(4), provide rec-  
15 ommendations to the Secretary and the  
16 National Academies of Sciences, Engineer-  
17 ing, and Medicine based on the additional  
18 data identified under clauses (i) and (ii).

19           (B) ANNUAL UPDATES.—Not later than 1  
20 year after the date on which the recommenda-  
21 tions are provided under subparagraph (A), and  
22 each year thereafter, the Board or Sub-  
23 committee shall evaluate the additional data  
24 identified under such subparagraph, and pro-

1           vide updated recommendations to the Secretary  
2           based on such evaluation.

3           (2) RECOMMENDATIONS BASED ON BUREAU OF  
4           LABOR STATISTICS MEASUREMENTS.—

5                   (A) IN GENERAL.—Not later than 4 years  
6           after the date of enactment of this Act, and  
7           each year thereafter, the Board or Sub-  
8           committee shall—

9                           (i) evaluate strategies for workforce  
10           development, based on measurements of  
11           impact on the workforce due to automation  
12           determined by the Bureau of Labor Statis-  
13           tics and on other relevant evidence; and

14                           (ii) provide recommendations to the  
15           Secretary and to Congress based on such  
16           evaluation.

17                   (B) PUBLIC ACCESS.—The Secretary shall  
18           disseminate the strategies recommended under  
19           subparagraph (A) to relevant stakeholders and  
20           make such strategies available to the public.

21           (d) NONAPPLICABILITY OF FEDERAL ADVISORY  
22           COMMITTEE ACT.—Chapter 10 of title 5, United States  
23           Code, shall not apply to the Board or Subcommittee.

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