

118TH CONGRESS
1ST SESSION

S. 394

To promote digital citizenship and media literacy.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2023

Ms. KLOBUCHAR (for herself, Mr. BENNET, Ms. SMITH, Mrs. FEINSTEIN, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To promote digital citizenship and media literacy.

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 “Digital Citizenship and
5 Media Literacy Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) People in the United States rely on infor-
9 mation from mass media, social media, and digital
10 media to make decisions about all aspects of social,
11 economic, and political life, including products and

1 services consumption, employment, career and pro-
2 fessional development, family and leisure choices,
3 health and wellness, and democratic engagement.
4 Ensuring that people in the United States possess
5 the skills to make these informed decisions based on
6 media begins early in life.

7 (2) Adversaries from Russia, China, and Iran
8 are using information warfare to influence democ-
9 racies across the world, and terrorist organizations
10 often use digital communications to recruit mem-
11 bers. The United States can fight these influences
12 by ensuring that citizens of the United States pos-
13 sess the necessary skills to identify disinformation
14 and misinformation and think critically about their
15 digital activities.

16 (3) Media literacy education has proven critical
17 to allies of the United States in building national re-
18 siliance to foreign disinformation campaigns. Coun-
19 tries like Estonia, Finland, and Ukraine have devel-
20 oped and implemented successful media literacy edu-
21 cation programs in schools that have helped counter
22 Russian disinformation campaigns. The United
23 States has also invested in and promoted media lit-
24 eracy education abroad, including in the Baltics.

1 (4) Following Russia’s increased aggression to-
2 wards Ukraine and the West, and Russia’s invasion
3 of Ukraine, media literacy skills have been important
4 in ensuring Ukrainians and citizens of Western al-
5 lied countries are not influenced by Russian
6 disinformation.

7 (5) In order to build similar national resilience
8 against foreign disinformation in the United States,
9 Congress has recommended investing in media lit-
10 eracy education.

11 (6) The bipartisan and bicameral Cyberspace
12 Solarium Commission’s 2020 report recommended
13 that the United States invest in media literacy, writ-
14 ing that “[b]y promoting modern civics education
15 and digital literacy programs, the U.S. Government
16 can assist in enhancing the average American’s abil-
17 ity to discern the trustworthiness of online content,
18 and thereby reduce the impact of malicious foreign
19 cyber-enabled information campaigns”, and con-
20 cluded that Congress should authorize a grant pro-
21 gram “to improve digital citizenship and to incor-
22 porate effective digital literacy curricula in American
23 classrooms at the K–12 level and beyond”.

24 (7) Similarly, the Select Committee on Intel-
25 ligence of the Senate stated, in a bipartisan report

1 released during the 116th Congress, “Addressing the
2 challenge of disinformation in the long-term will ulti-
3 mately need to be tackled by an informed and dis-
4 cerning population of citizens who are both alert to
5 the threat and armed with the critical thinking skills
6 necessary to protect against malicious influence.”.
7 The Committee then recommended that a “public
8 initiative—propelled by Federal funding but led in
9 large part by state and local education institutions—
10 focused on building media literacy from an early age
11 would help build long-term resilience to foreign ma-
12 nipulation of our democracy”.

13 (8) Media literacy and digital citizenship edu-
14 cation also empowers young people and is critical to
15 improving their health and safety, preventing
16 cyberbullying, and enabling young people to make
17 informed decisions about products and services, in-
18 cluding advertisements and controlled substances.

19 (9) Social media and other online activities have
20 been shown to have serious negative impacts on the
21 mental and physical health of young people. Many
22 studies have found that media literacy education is
23 one of the most successful strategies for countering
24 body image issues and eating disorders in children.
25 The National Eating Disorders Association, in part-

1 nership with California State University, Northridge,
2 published a Digital Media Literacy toolkit to help
3 students, including high school students, learn skills
4 to think critically about body images and the online
5 content they see.

6 (10) Education and childhood development ex-
7 perts, as well as academic and medical researchers,
8 have recommended that a key method for preventing
9 and countering the negative impacts described in
10 paragraph (9) is to teach media literacy skills to
11 young people beginning early in their education.

12 (11) A successful and inclusive media literacy
13 program must be directed at students beginning in
14 kindergarten and should continue throughout the
15 completion of postsecondary education. Media lit-
16 eracy education must be inclusive and accessible for
17 all students, including multilingual students, stu-
18 dents with limited proficiency in English, and stu-
19 dents with disabilities. Learning to critically analyze
20 and create media is a lifelong process that can be
21 developed by integrating media literacy competencies
22 into academic curriculum across content areas and
23 disciplines.

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

1 (1) ASSISTANT SECRETARY.—The term “Assist-
2 ant Secretary” means the Assistant Secretary of
3 Commerce for Communications and Information.

4 (2) DIGITAL CITIZENSHIP.—The term “digital
5 citizenship” means the ability to—

6 (A) safely, responsibly, and ethically use
7 communication technologies and digital infor-
8 mation technology tools and platforms;

9 (B) create and share media content using
10 principles of social and civic responsibility and
11 with awareness of the legal and ethical issues
12 involved; and

13 (C) participate in the political, economic,
14 social, and cultural aspects of life related to
15 technology, communications, and the digital
16 world by consuming and creating digital con-
17 tent, including media.

18 (3) ELIGIBLE ENTITY.—The term “eligible enti-
19 ty” means—

20 (A) a State educational agency;

21 (B) a local educational agency;

22 (C) a public library; or

23 (D) a qualified nonprofit organization.

24 (4) ESEA DEFINITIONS.—The terms “child
25 with a disability”, “local educational agency”, “State

1 educational agency”, “specialized instructional sup-
2 port personnel”, and “universal design for learning”
3 have the meanings given those terms in section 8101
4 of the Elementary and Secondary Education Act of
5 1965 (20 U.S.C. 7801).

6 (5) MEDIA LITERACY.—The term “media lit-
7 eracy” means the ability to—

8 (A) access relevant and accurate informa-
9 tion through media in a variety of forms;

10 (B) critically analyze media content and
11 the influences of different forms of media;

12 (C) evaluate the comprehensiveness, rel-
13 evance, credibility, authority, and accuracy of
14 information;

15 (D) make educated decisions based on in-
16 formation obtained from media and digital
17 sources;

18 (E) operate various forms of technology
19 and digital tools;

20 (F) reflect on how the use of media and
21 technology may affect private and public life;
22 and

23 (G) protect oneself from online content
24 that presents a clear risk to health and safety,
25 including child sexual abuse material and con-

1 tent promoting illegal drugs, self-harm, or eat-
2 ing disorders.

3 (6) QUALIFIED NONPROFIT ORGANIZATION.—

4 The term “qualified nonprofit organization” means
5 an organization that—

6 (A) is described in paragraph (3) or (4) of
7 section 501(c) of the Internal Revenue Code of
8 1986 and is exempt from taxation under section
9 501(a) of that Code; and

10 (B) has a mission to improve childhood
11 education, childhood development, or media lit-
12 eracy.

13 **SEC. 4. GRANT PROGRAM ESTABLISHED.**

14 (a) IN GENERAL.—The Assistant Secretary shall es-
15 tablish a program to promote media literacy, through
16 which the Assistant Secretary shall award grants to eligi-
17 ble entities to enable those eligible entities to carry out
18 the activities described in subsection (c).

19 (b) APPLICATION.—An eligible entity that desires a
20 grant under this section shall submit an application to the
21 Assistant Secretary at such time and in such manner as
22 the Assistant Secretary may require, including, at a min-
23 imum—

24 (1) a description of the activities the eligible en-
25 tity intends to carry out with the grant funds;

1 (2) an estimate of the costs associated with
2 such activities; and

3 (3) such other information and assurances as
4 the Assistant Secretary may require.

5 (c) USE OF FUNDS.—

6 (1) STATE EDUCATIONAL AGENCIES.—

7 (A) IN GENERAL.—An eligible entity that
8 is a State educational agency receiving a grant
9 under this section shall use grant funds to
10 carry out one or more of the following activities:

11 (i) Creating and supporting a media
12 literacy advisory council to—

13 (I) provide recommendations
14 about digital citizenship and media lit-
15 eracy guidelines;

16 (II) identify barriers and oppor-
17 tunities for implementing media lit-
18 eracy in kindergarten through grade
19 12 in public schools in the State for
20 all students, including students who
21 are children with disabilities;

22 (III) identify best practices and
23 effective models for media literacy
24 education, including incorporating
25 universal design for learning and pro-

1 viding additional accommodations for
2 students who are children with dis-
3 abilities when needed;

4 (IV) identify existing models of
5 curriculum and existing policies in dif-
6 ferent States that are aimed at over-
7 coming the barriers identified in sub-
8 clause (II);

9 (V) gather data or conduct re-
10 search to assess the media literacy
11 and digital citizenship competencies of
12 students, teachers, or specialized in-
13 structional support personnel;

14 (VI) submit a report to the State
15 educational agency containing findings
16 and recommendations regarding the
17 items identified under this clause; and

18 (VII) annually update those find-
19 ings and recommendations.

20 (ii) Assisting local educational agen-
21 cies in the development of units of instruc-
22 tion on media literacy, either as a new sub-
23 ject or as a part of the existing curriculum.

1 (iii) Assisting local educational agen-
2 cies in developing means of evaluating stu-
3 dent learning in media literacy.

4 (iv) Assisting local educational agen-
5 cies in developing or providing professional
6 development for teachers that relates to
7 media literacy.

8 (B) MEDIA LITERACY ADVISORY COUN-
9 CIL.—

10 (i) MEMBERS.—The media literacy
11 advisory council described in subparagraph
12 (A)(i) shall include experts in media lit-
13 eracy, including academic experts, individ-
14 uals from nonprofit organizations, individ-
15 uals with expertise in education for stu-
16 dents who are children with disabilities,
17 teachers, librarians, representatives from
18 parent organizations, educators, adminis-
19 trators, students, and other stakeholders.

20 (ii) DIVERSITY OF REPRESENTA-
21 TION.—Such membership shall include rep-
22 resentation from rural and urban local
23 educational agencies, small and large
24 schools, high- and low-resource schools,
25 teachers of students with disabilities, and

1 schools in communities from diverse lin-
2 guistic, racial, and ethnic backgrounds.

3 (C) GUIDELINES.—

4 (i) IN GENERAL.—A State educational
5 agency that creates a media literacy advi-
6 sory council under subparagraph (A)(i)
7 shall, only after consideration of the find-
8 ings and recommendations described in
9 subclauses (I) and (VI) of that subpara-
10 graph, develop and publish on the State
11 educational agency website inclusive digital
12 citizenship and media literacy guidelines
13 for students in kindergarten through grade
14 12 in public schools in the State.

15 (ii) REQUIREMENTS.—The guidelines
16 described in clause (i) shall be designed to
17 develop media literacy and digital citizen-
18 ship competencies by promoting stu-
19 dents’—

20 (I) research and information flu-
21 ency;

22 (II) critical thinking and prob-
23 lem-solving skills;

24 (III) technology operations and
25 concepts;

- 1 (IV) information and techno-
2 logical literacy;
- 3 (V) concepts of media representa-
4 tion and stereotyping;
- 5 (VI) understanding of explicit
6 and implicit media messages;
- 7 (VII) understanding of values
8 and points of view that are included
9 and excluded in media content;
- 10 (VIII) understanding of how
11 media may influence ideas and behav-
12 iors;
- 13 (IX) understanding of the impor-
14 tance of obtaining information from
15 multiple media sources and evaluating
16 sources for quality;
- 17 (X) understanding how informa-
18 tion on digital platforms can be al-
19 tered through algorithms, editing, and
20 augmented reality; and
- 21 (XI) ability to create media in
22 civically and socially responsible ways.
- 23 (2) LOCAL EDUCATIONAL AGENCIES.—An eligi-
24 ble entity that is a local educational agency receiving

1 a grant under this section shall use grant funds to
2 carry out one or more of the following activities:

3 (A) Incorporating digital citizenship and
4 media literacy into the existing curriculum
5 (across content and disciplinary areas) or estab-
6 lishing new educational opportunities to learn
7 about media literacy.

8 (B) Employing specialized instructional
9 support personnel, such as a librarian or other
10 personnel who can provide instructional services
11 in media literacy.

12 (C) Providing funding to educators who
13 are carrying out activities described in subpara-
14 graph (A) to further their professional develop-
15 ment in relation to media literacy, including
16 funding for traveling to media literacy con-
17 ferences to share knowledge with regional and
18 national stakeholders.

19 (D) Other activities, including student led
20 efforts, to support, develop, or promote the im-
21 plementation of media literacy education pro-
22 grams, policies, teacher preparation, cur-
23 riculum, or standards.

24 (3) PUBLIC LIBRARIES.—An eligible entity that
25 is a public library receiving a grant under this sec-

1 tion shall use grant funds to carry out activities that
2 enhance digital citizenship and media literacy skills
3 in children.

4 (4) QUALIFIED NONPROFIT ORGANIZATIONS.—

5 (A) IN GENERAL.—An eligible entity that
6 is a qualified nonprofit organization receiving a
7 grant under this section shall use grant funds
8 to carry out one or more of the following activi-
9 ties:

10 (i) Activities in schools or public set-
11 tings for children in kindergarten through
12 grade 12 that enhance digital citizenship
13 and media literacy skills.

14 (ii) Other activities to support, de-
15 velop, or promote the implementation of
16 media literacy education programs, poli-
17 cies, teacher preparation, curriculum, or
18 standards relating to enhancing digital citi-
19 zenship and media literacy skills for chil-
20 dren in kindergarten through grade 12.

21 (B) RESTRICTION.—If a qualified non-
22 profit organization charges a school or other en-
23 tity for carrying out activities described in sub-
24 paragraph (A), the organization may not charge

1 more than the cost to the organization of car-
2 rying out the activities.

3 (d) REPORTING.—

4 (1) REPORTS BY ELIGIBLE ENTITIES.—Not
5 later than 1 year after the date on which an eligible
6 entity receives grant funds under this section, the el-
7 igible entity shall prepare and submit to the Assist-
8 ant Secretary a report describing the activities the
9 eligible entity carried out using grant funds and the
10 effectiveness of those activities.

11 (2) REPORT BY THE ASSISTANT SECRETARY.—
12 Not later than 90 days after the Assistant Secretary
13 receives the report described in paragraph (1) from
14 the last eligible entity to submit such a report, the
15 Assistant Secretary shall prepare and submit a re-
16 port to Congress describing the activities carried out
17 under this section and the effectiveness of those ac-
18 tivities.

19 **SEC. 5. SENSE OF CONGRESS.**

20 It is the sense of Congress that the Assistant Sec-
21 retary should—

22 (1) establish and maintain a list of—

23 (A) eligible entities that receive a grant
24 under section 4; and

1 (B) individuals designated by those eligible
2 entities as participating individuals, such as in-
3 dividuals serving on a media literacy advisory
4 council described in section 4(c)(1)(A)(i) or in-
5 dividuals carrying out activities authorized
6 under section 4(c) on behalf of those eligible en-
7 tities; and

8 (2) make the list described in paragraph (1)
9 available to those eligible entities and participating
10 individuals in order to promote communication and
11 further exchange of information regarding sound
12 digital citizenship and media literacy practices
13 among recipients of a grant under section 4.

14 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated to carry out
16 this Act \$20,000,000 for each of fiscal years 2024, 2026,
17 2028, and 2030.

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