

116TH CONGRESS
1ST SESSION

S. 1738

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.

IN THE SENATE OF THE UNITED STATES

JUNE 5, 2019

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

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 2019” 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(c)(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) FEDERAL ADVISORY COMMITTEE ACT.—The
22 Federal Advisory Committee Act (5 U.S.C. App.) shall not
23 apply to the Board or Subcommittee.

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