


(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To amend the Workforce Innovation and Opportunity Act to establish a digital skills at work grant program.

IN THE HOUSE OF REPRESENTATIVES

Ms. SPANBERGER introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Workforce Innovation and Opportunity Act to establish a digital skills at work grant program.

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 Skills for To-
5 day’s Workforce Act”.

6 **SEC. 2. PURPOSE.**

7 It is the purpose of this Act to amend the Workforce
8 Innovation and Opportunity Act (29 U.S.C. 3101 et seq.)
9 to further promote digital equity by—

1 (1) building digital skills for current and incom-
2 ing workers in in-demand industries in order to ad-
3 vance access to good jobs and fill in-demand occupa-
4 tions of the 21st century by establishing capacity
5 within postsecondary education, adult education, and
6 workforce development systems to deliver digital
7 skills training and to design such training; and

8 (2) fostering digitally resilient individuals and
9 education and workforce development systems.

10 **SEC. 3. WORKFORCE INNOVATION AND OPPORTUNITY ACT**
11 **AMENDMENTS.**

12 (a) IN GENERAL.—Subtitle D of title I of the Work-
13 force Innovation and Opportunity Act (29 U.S.C. 3221 et
14 seq.) is amended—

15 (1) by redesignating section 172 as section 173;
16 and

17 (2) by inserting after section 171 the following:

18 **“SEC. 172. DIGITAL SKILLS AT WORK GRANT PROGRAM.**

19 “(a) DEFINITIONS.—In this section:

20 “(1) ACCELERATED LEARNING PROGRAM MOD-
21 ELS.—The term ‘accelerated learning program mod-
22 els’ means evidence-informed strategies that support
23 adult learners and workers in obtaining in-demand
24 skills and credentials in an accelerated fashion, in-

1 including integrated education and training, bridge
2 programs, and work-based learning programs.

3 “(2) DIGITAL EQUITY.—The term ‘digital eq-
4 uity’ means the condition in which individuals and
5 communities have the information technology capae-
6 ity that is needed for full participation in the society
7 and economy of the United States.

8 “(3) DIGITAL AND INFORMATION LITERACY
9 SKILLS.—The term ‘digital and information literacy
10 skills’ means the skills associated with—

11 “(A) using technology to enable users to
12 find, evaluate, organize, create, and commu-
13 nicate information and complete tasks through
14 existing and emerging technologies;

15 “(B) recognizing the extent and essence of
16 an information need, assessing the security and
17 reliability of information, and effectively using
18 information; and

19 “(C) developing digital citizenship and the
20 responsible use of technology.

21 “(4) DIGITALLY RESILIENT.—The term
22 ‘digitally resilient’ means—

23 “(A) with respect to an individual, an indi-
24 vidual with the awareness, skills, agility, and
25 confidence to be an empowered user of new

1 technologies and to be able to adapt to chang-
2 ing digital skill demands by improving the ca-
3 pacity to problem-solve, improve and update
4 skills, navigate digital transformations, and be
5 active participants in society and the economy;
6 and

7 “(B) with respect to a system, an edu-
8 cation or workforce development system that—

9 “(i) has established processes and
10 policies to adapt to evolving technological
11 demands, buffer workers and businesses
12 from the disruptive effects of rapid techno-
13 logical shifts, and foster the ability of an
14 individual to create, critique, and use new
15 technological tools; and

16 “(ii) offers multiple pathways to eco-
17 nomic success and does not endorse any
18 single type of technology or digital skill as
19 the mechanism for economic mobility.

20 “(5) DIGITAL WORKPLACE SKILLS.—The term
21 ‘digital workplace skills’—

22 “(A) means the broad array of
23 foundational and more specialized skills (includ-
24 ing basic, advanced, and applied skills) that en-

1 able an individual to be an effective user or cre-
2 ator of technology while on the job; and

3 “(B) includes industry-specific skills and
4 skills that are transferable across industries.

5 “(6) ELIGIBLE ENTITY.—The term ‘eligible en-
6 tity’ means an entity that is—

7 “(A) described in any of subparagraphs
8 (A) through (H) of section 60304(b)(2) of the
9 Digital Equity Act of 2021 (47 U.S.C.
10 1723(b)(2)); or

11 “(B) an industry or sector partnership.

12 “(7) INDIVIDUAL WITH INDICATORS OF LOW
13 DIGITAL AND INFORMATION LITERACY SKILLS.—The
14 term ‘individual with indicators of low digital and in-
15 formation literacy skills’ means, with respect to a
16 State, an individual who resides in such State and
17 has—

18 “(A) an educational attainment of not
19 more than a high school diploma or equivalent;

20 “(B) earnings in the bottom 2 quintiles of
21 earnings in such State; or

22 “(C) limited English language proficiency.

23 “(8) SECRETARY.—The term ‘Secretary’ means
24 the Secretary of Labor.

1 “(9) STATE.—The term ‘State’ means a State
2 or outlying area.

3 “(10) WORKING AGE RESIDENT.—The term
4 ‘working age resident’ means, with respect to a
5 State, an individual who resides in such State and
6 is not younger than 16 years of age and not older
7 than 64 years of age.

8 “(b) DIGITAL SKILLS AT WORK GRANTS.—

9 “(1) IN GENERAL.—The Secretary shall, in con-
10 sultation with the Secretary of Education and the
11 Secretary of Commerce, award a grant in an amount
12 described in paragraph (2) to each State that sub-
13 mits a complete application under paragraph (3) to
14 expand digital workplace skills for individuals seek-
15 ing jobs and individuals with barriers to employ-
16 ment.

17 “(2) GRANT AMOUNT.—A grant to a State
18 under paragraph (1) shall be in an amount that is
19 the sum of—

20 “(A) an amount that bears the same ratio
21 to 50 percent of the total amount of grants
22 made available to all States under paragraph
23 (1) as the population of such State bears to the
24 total population of all States;

1 “(B) an amount that bears the same ratio
2 to 25 percent of the total amount of grants
3 made available to all States under paragraph
4 (1) as the population of working age residents
5 in the State bears to the total population of
6 working age residents of all States; and

7 “(C) an amount that bears the same ratio
8 to 25 percent of the total amount of grants
9 made available to all States under paragraph
10 (1) as the population of individuals with indica-
11 tors of low digital and information literacy
12 skills in the State bears to the total population
13 of individuals with indicators of low digital and
14 information literacy skills of all States.

15 “(3) APPLICATION.—To be eligible to receive a
16 grant under paragraph (1), a State shall submit to
17 the Secretary an application at such time, in such
18 manner, and containing such information as the Sec-
19 retary may require, including—

20 “(A) a description of—

21 “(i) how the State will use any grant
22 amounts awarded to expand digital work-
23 place skills for individuals seeking jobs and
24 individuals with barriers to employment in
25 an efficient and expeditious manner;

1 “(ii) the period in which the State will
2 expend the grant funds awarded under the
3 grant; and

4 “(iii) the budget for the activities that
5 the grant funds will support;

6 “(B) a demonstration, to the satisfaction
7 of the Secretary, that the State is capable of
8 carrying out the State activities under this sub-
9 section in a competent manner and in compli-
10 ance with all applicable Federal, State, and
11 local laws;

12 “(C) a description of the steps the State
13 will take to ensure that the State is supporting
14 or building digitally resilient systems and indi-
15 viduals;

16 “(D) a disclosure of the source and
17 amount of other Federal, State, or outside
18 funding sources from which the State receives,
19 or has applied for, funding for activities or
20 projects to which the application relates and, if
21 applicable, how all the funding streams align in
22 terms of goals; and

23 “(E) an assurance that the State shall fol-
24 low such additional procedures as the Secretary
25 may require to ensure that grant funds are

1 used and accounted for in an appropriate man-
2 ner.

3 “(4) NO COMPLETE STATE APPLICATION.—

4 “(A) IN GENERAL.—In any case in which
5 a State does not apply, or submit a complete
6 application for, a grant under this subsection,
7 the Secretary shall—

8 “(i) solicit and accept applications
9 from eligible entities with demonstrated ca-
10 pacity to administer a Federal grant pro-
11 gram on a statewide basis; and

12 “(ii) use an amount of grant funds
13 equal to the State’s share of the grant
14 funds under paragraph (2) to benefit the
15 State by—

16 “(I) awarding a grant to an eligi-
17 ble entity described in clause (i) to en-
18 able the eligible entity to carry out the
19 program under this subsection for the
20 State; or

21 “(II) if there are no suitable ap-
22 plications submitted under clause (i)
23 or the Secretary determines appro-
24 priate, using a portion, or all, of such
25 funds to award grants to eligible enti-

1 ties for the same purposes, and sub-
2 ject to the same terms and conditions,
3 as subgrants awarded under para-
4 graph (5).

5 “(B) SPECIAL RULES.—For purposes of
6 applying this subsection—

7 “(i) with respect to a grant awarded
8 under subparagraph (A)(ii)(I), any ref-
9 erence to a State shall be deemed to refer
10 to the eligible entity receiving such grant;
11 and

12 “(ii) with respect to a grant awarded
13 under subparagraph (A)(ii)(II), the eligible
14 entity shall submit the report required
15 under paragraph (5)(D) to the Secretary,
16 and the Secretary shall make all such re-
17 ports publicly available.

18 “(5) USES OF GRANT FUNDS.—

19 “(A) SUBGRANTS AUTHORIZED.—A State
20 that receives a grant under paragraph (1) shall
21 use the grant funds to award subgrants to eligi-
22 ble entities for the purpose of expanding digital
23 workplace skills for individuals to gain digital
24 skills needed for their current employment or in
25 order to advance in their careers, with a pri-

1 ority on assisting individuals with barriers to
2 employment.

3 “(B) APPLICATIONS.—An eligible entity
4 desiring a subgrant under this paragraph shall
5 submit an application to the State at such time,
6 in such manner, and containing such informa-
7 tion as the State shall require.

8 “(C) AWARD BASIS.—

9 “(i) PRIORITY.—In awarding sub-
10 grants under subparagraph (A), the State
11 shall give a priority to eligible entities that
12 will focus activities under the subgrant on
13 individuals with barriers to employment.

14 “(ii) GEOGRAPHIC DISTRIBUTION.—In
15 awarding subgrants under subparagraph
16 (A), the State shall ensure funds are dis-
17 tributed in a geographically diverse man-
18 ner.

19 “(D) REPORTS.—Not later than 1 year
20 after receiving a subgrant under this para-
21 graph, each eligible entity receiving such
22 subgrant shall submit a report to the State re-
23 garding the activities supported under such
24 subgrant.

25 “(6) PERFORMANCE ACCOUNTABILITY.—

1 “(A) STATE REPORTS.—Not later than 2
2 years after receiving the reports submitted to
3 the State under paragraph (5)(D) but not ear-
4 lier than 18 months after the grant is awarded
5 to the State under paragraph (1), the State
6 shall submit a report to the Secretary—

7 “(i) describing the activities funded
8 using grant funds under this subsection;
9 and

10 “(ii) including the information pro-
11 vided in the local reports submitted to the
12 State under paragraph (5)(D).

13 “(B) PUBLIC AVAILABILITY.—The Sec-
14 retary shall make each State report submitted
15 under subparagraph (A) publicly available.

16 “(c) COMPETITIVE GRANTS.—

17 “(1) PROGRAM AUTHORIZED.—The Secretary
18 shall, on a competitive basis, award grants to eligible
19 entities to enable the eligible entities to foster digital
20 equity and digitally resilient systems and individuals
21 (including workers and employers) in order to pre-
22 pare the individuals for adapting to the current and
23 future competitive labor market and economy by cre-
24 ating opportunities for individuals to gain digital

1 skills needed for their current employment or in
2 order to advance in their careers.

3 “(2) APPLICATION.—To be eligible to receive a
4 grant under paragraph (1), an eligible entity shall
5 submit to the Secretary an application at such time,
6 in such manner, and containing such information as
7 the Secretary may require, including—

8 “(A) a description of—

9 “(i) the activities that will be sup-
10 ported using grant funds awarded under
11 such paragraph, including any services
12 such as business engagement, classroom
13 instruction, apprenticeships, work-based
14 learning, and supportive services;

15 “(ii) how the eligible entity receiving
16 the grant will work to engage small and
17 medium-sized employers;

18 “(iii) the digital workplace skills
19 learning strategies to be supported using
20 such grant funds;

21 “(iv) the digital workplace skills cur-
22 riculum, and other related materials, to be
23 developed and supported using such grant
24 funds, including—

1 “(I) the general content of such
2 curriculum;

3 “(II) the mechanism to deliver
4 such curriculum;

5 “(III) information on how the
6 curriculum connects to an in-demand
7 occupation or industry; and

8 “(IV) how this curriculum will be
9 shared with States and other eligible
10 entities via submission to a Federal
11 clearinghouse or other repository;

12 “(v) the professional development op-
13 portunities relating to digital workplace
14 skills for instructors supported by such
15 grant funds, including with regard to new
16 hiring of instructors with industry experi-
17 ence and increasing the skills of instructors
18 with expertise in serving adult learners and
19 administering programs using accelerated
20 learning program models;

21 “(vi) any programs using accelerated
22 learning program models to be supported
23 by such grant funds, and how such pro-
24 gramming will align with existing accelerated

1 learning programs, as of the date of appli-
2 cation, in the area served by the grant;

3 “(vii) any in-demand industry sector
4 or occupation that will be served using
5 such grant funds, including how any such
6 industry sector or occupation was identi-
7 fied;

8 “(viii) how the eligible entity will pro-
9 tect the privacy and security of any data
10 collected with regard to an individual in-
11 volved in any activity supported using such
12 grant funds;

13 “(ix) any population that will receive
14 services from any activity supported using
15 such grant funds, including populations of
16 individuals with barriers to employment
17 and populations historically underrep-
18 resented in any industry to be served
19 under the grant;

20 “(x) any recognized postsecondary
21 credential that an individual can obtain
22 through participation in an activity sup-
23 ported using such grant;

1 “(xi) any measurable gains in a skill
2 that such an individual can achieve
3 through such participation;

4 “(xii) any steps the eligible entity will
5 take to align activities supported using
6 such grant funds with, as applicable, the
7 State Digital Equity Plan of the State de-
8 veloped under section 60304(c)(1) of the
9 Digital Equity Act of 2021 (47 U.S.C.
10 1723(c)(1)) and the action plan of the
11 State submitted to the Broadband Equity,
12 Access, and Deployment Program under
13 section 60102(e)(1)(D) of the Infrastruc-
14 ture Investment and Jobs Act (47 U.S.C.
15 1702(e)(1)(D)); and

16 “(xiii) how the eligible entity will le-
17 verage additional resources, including
18 funding provided under title II and non-
19 Federal resources, for activities supported
20 using such grant funds; and

21 “(B) an assurance that the eligible entity
22 will protect the privacy and security of individ-
23 uals involved in any program or activity sup-
24 ported using such grant funds by—

1 “(i) prohibiting any program sup-
2 ported using such grant funds from with-
3 holding any earned learning information or
4 earned credentialing information from such
5 an individual for reasons such as the indi-
6 vidual failing to pay such program; and

7 “(ii) prohibiting any program or ven-
8 dor supported using such grant funds from
9 gathering or disseminating personally iden-
10 tifiable information, as defined by the Sec-
11 retary, of program participants, except as
12 needed for program evaluation and report-
13 ing purposes.

14 “(3) PERFORMANCE ACCOUNTABILITY.—

15 “(A) LOCAL REPORTS.—By one year after
16 the date on which an eligible entity received a
17 grant under this subsection, the eligible entity
18 shall submit to the Secretary a report con-
19 taining—

20 “(i) a description of the levels of per-
21 formance achieved by the eligible entity
22 with respect to the performance indicators
23 described under section 116(b)(2)(A) for—

1 “(I) all participants in activities
2 supported under such grant funds;
3 and

4 “(II) individuals with barriers to
5 employment, in the aggregate and
6 disaggregated by each subpopulation
7 and by race, ethnicity, English lan-
8 guage proficiency, sex, and age; and

9 “(ii) the progress of the entity to-
10 wards fulfilling the objectives for which the
11 grant was awarded.

12 “(B) PUBLIC AVAILABILITY.—As a condi-
13 tion of receiving a grant under this subsection,
14 an eligible entity shall agree to make the eligi-
15 ble entity’s progress and findings available for
16 the Secretary to share across States.

17 “(d) RESERVATION OF FUNDS.—Notwithstanding
18 any other provision of this section, the Secretary—

19 “(1) may reserve not more than 5 percent of
20 the amounts made available to carry out this section
21 for technical assistance under, and administration
22 of, this section; and

23 “(2) shall reserve not less than 2 percent and
24 not more than 4 percent of such amounts to evalu-
25 ate the programs carried out under this section.”.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
2 173 of the Workforce Innovation and Opportunity Act, as
3 redesignated by subsection (a)(1), is further amended—

4 (1) by redesignating subsections (f) and (g) as
5 subsections (g) and (h), respectively; and

6 (2) by inserting after subsection (e) the fol-
7 lowing:

8 “(f) DIGITAL SKILLS AT WORK GRANTS.—There are
9 authorized to be appropriated to carry out section 172
10 such sums as may be necessary for fiscal year 2024 and
11 each of the 4 succeeding fiscal years.”.

12 (c) DIGITAL AND INFORMATION LITERACY SKILLS AS
13 TRAINING SERVICES.—Section 134(c)(3)(D) of the Work-
14 force Innovation and Opportunity Act (29 U.S.C.
15 3174(c)(3)(D)) is amended—

16 (1) in clause (x), by striking “and” after the
17 semicolon;

18 (2) in clause (xi), by striking the period at the
19 end and inserting “; and”; and

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

21 “(xii) training in digital and informa-
22 tion literacy skills, as defined in section
23 172(a).”.

24 (d) CONFORMING AMENDMENT.—Section
25 8041(g)(2)(C) of the SUPPORT for Patients and Com-

1 munities Act (29 U.S.C. 3225a(g)(2)(C)) is amended by
2 striking “172(f)” and all that follows through the period
3 at the end and inserting “173(g) of such Act.”.

4 (e) TABLE OF CONTENTS.—The table of contents in
5 section 1(b) of the Workforce Innovation and Opportunity
6 Act is amended in the items related to subtitle D of title
7 I—

8 (1) by redesignating the item relating to section
9 172 as the item relating to section 173; and

10 (2) by inserting after the item relating to sec-
11 tion 171 the following:

“Sec. 172. Digital skills at work grant program.”.