

112TH CONGRESS
1ST SESSION

S. 1219

To require Federal agencies to assess the impact of Federal action on jobs and job opportunities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 16, 2011

Mr. BARRASSO (for himself, Mr. ISAKSON, and Mr. VITTER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require Federal agencies to assess the impact of Federal action on jobs and job opportunities, 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 “Employment Impact
5 Act of 2011”.

6 **SEC. 2. PURPOSE.**

7 The purposes of this Act are the following:

8 (1) To declare that the impact of Federal regu-
9 lations on jobs and job prospects in the United
10 States is a significant and relevant consideration to

1 all Federal regulatory policy actions and henceforth
2 should be taken into account by Federal regulators
3 when they decide to take actions under their respec-
4 tive statutory authorities.

5 (2) To express the concern of Congress that
6 Federal regulators consider the cumulative impact of
7 multiple proposed Federal regulations on jobs and
8 jobs prospects in the United States and that the cu-
9 mulative impact of such regulations should be given
10 all due consideration and weighed in the balance
11 with the other purposes sought to be achieved by
12 such regulatory measures.

13 **SEC. 3. DUTY TO ASSESS THE IMPACT OF FEDERAL ACTION**
14 **ON JOBS AND JOB OPPORTUNITIES.**

15 (a) IN GENERAL.—The Congress authorizes and di-
16 rects, to the fullest extent possible, that all agencies of
17 the Federal Government shall—

18 (1) utilize a systematic, interdisciplinary ap-
19 proach which shall insure the integrated use of the
20 relevant fields of research and learning in planning
21 and decisionmaking which may have an impact on
22 jobs and job opportunities;

23 (2) identify and develop methods and proce-
24 dures, in consultation with the Council on Economic
25 Advisors, Office of the President, which will insure

1 that presently unquantified impacts on job and job
2 opportunities may be given appropriate consideration
3 in decisionmaking along with environmental and
4 other considerations; and

5 (3) include in every recommendation or report
6 on proposals for legislation and other major Federal
7 actions with potentially significant effects on jobs
8 and job opportunities, a jobs impact statement as
9 described in subsection (b).

10 (b) JOBS IMPACT STATEMENT.—

11 (1) CONTENTS.—A jobs impact statement re-
12 quired under subsection (a) shall include a detailed
13 statement by the responsible official on—

14 (A) the impact of the proposed action on
15 jobs and job opportunities, including an assess-
16 ment of the jobs that would be lost, gained, or
17 sent overseas as a result of the proposed action;

18 (B) any adverse effect on jobs and job op-
19 portunities which could not be avoided should
20 the proposal be implemented;

21 (C) alternatives and modifications to the
22 proposed action that could avoid negative im-
23 pacts on jobs and job opportunities; and

24 (D) the relationship between any local
25 short-term impacts on jobs and job opportuni-

1 ties and the maintenance and enhancements of
2 long-term productivity and environmental val-
3 ues.

4 (2) CONSULTATION WITH RELEVANT FEDERAL
5 AGENCIES.—Prior to preparing a jobs impact state-
6 ment, the responsible Federal official shall consult
7 with and obtain the comments of any Federal agen-
8 cy which has jurisdiction by law or special expertise
9 with respect to any jobs or job opportunities impacts
10 involved. Copies of such statement and the com-
11 ments and views of the appropriate Federal, State,
12 and local agencies that are authorized to develop and
13 enforce policies and programs relevant to jobs and
14 job opportunities, shall be made available to the
15 Council of Economic Advisors and to the public as
16 provided by section 552 of title 5, United States
17 Code, and shall accompany the proposal through the
18 existing agency review process.

19 (3) CUMULATIVE IMPACT OF PROPOSED AC-
20 TIONS.—In determining the impact of a proposed
21 action on jobs and job opportunities, the responsible
22 Federal official shall take into account the cumu-
23 lative impact on jobs and job opportunities of con-
24 currently pending proposals affecting a particular in-
25 dustry or sector of the economy, and shall not make

1 a finding of no significant impact solely on the basis
2 of examining the impacts of a single proposal in iso-
3 lation from other pending proposals.

4 (4) COMBINING ENVIRONMENTAL AND JOB IM-
5 PACT STATEMENTS.—A jobs impact statement re-
6 quired under this Act may be combined with a de-
7 tailed statement of environmental impacts required
8 to be prepared under the National Environmental
9 Policy Act of 1969 (42 U.S.C. 4321 et seq.), if both
10 statements are required with respect to the same
11 proposed action.

12 **SEC. 4. CONFORMITY OF ADMINISTRATIVE PROCEDURES.**

13 All agencies of the Federal Government shall review
14 their present statutory authority, administrative regula-
15 tions, and current policies and procedures for the purpose
16 of determining whether there are any deficiencies or incon-
17 sistencies therein which prohibit full compliance with the
18 purposes and provisions of this Act, and shall propose to
19 the President not later than one year after enactment of
20 this Act, such measures as may be necessary to bring their
21 authority and policies into conformity with the intent, pur-
22 poses, and procedures set forth in this Act.

1 **SEC. 5. NO JUDICIAL REVIEW OF JOBS IMPACT STATE-**
2 **MENTS.**

3 Implementation of this Act, including a jobs impact
4 statement prepared in accordance with this Act, shall not
5 be subject to judicial review.

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