

112TH CONGRESS
1ST SESSION

H. R. 2204

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2011

Mr. TERRY (for himself, Mr. PEARCE, Mr. GARDNER, Mr. BROUN of Georgia, Mr. JONES, Mr. ROKITA, Mr. KINZINGER of Illinois, Mr. ROONEY, Mr. GERLACH, and Mrs. BLACKBURN) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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

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

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

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

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

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

24 (2) identify and develop methods and proce-
25 dures, in consultation with the Council on Economic

1 Advisors, Office of the President, which will ensure
2 that presently unquantified impacts on jobs and job
3 opportunities may be given appropriate consideration
4 in decisionmaking along with environmental and
5 other considerations; and

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

11 (b) JOBS IMPACT STATEMENT.—

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

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

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

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

1 (D) the relationship between any local
2 short-term impacts on jobs and job opportuni-
3 ties and the maintenance and enhancements of
4 long-term productivity and environmental val-
5 ues.

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

21 (3) CUMULATIVE IMPACT OF PROPOSED AC-
22 TIONS.—In determining the impact of a proposed
23 action on jobs and job opportunities, the responsible
24 Federal official shall take into account the cumu-
25 lative impact on jobs and job opportunities of con-

1 currently pending proposals affecting a particular in-
2 dustry or sector of the economy, and shall not make
3 a finding of no significant impact solely on the basis
4 of examining the impacts of a single proposal in iso-
5 lation from other pending proposals.

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

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

15 All agencies of the Federal Government shall review
16 their present statutory authority, administrative regula-
17 tions, and current policies and procedures for the purpose
18 of determining whether there are any deficiencies or incon-
19 sistencies therein which prohibit full compliance with the
20 purposes and provisions of this Act, and shall propose to
21 the President not later than one year after enactment of
22 this Act, such measures as may be necessary to bring their
23 authority and policies into conformity with the intent, pur-
24 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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