S 1720

Jobs Through Growth Act

Congress: 112 (2011–2013, Ended)
Chamber: Senate
Policy Area: Economics and Public Finance
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Sponsor

Name: Sen. McCain, John [R-AZ]
Party: Republican • **State:** AZ • **Chamber:** Senate

Cosponsors (37 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Barrasso, John [R-WY]	R · WY		Oct 17, 2011
Sen. Blunt, Roy [R-MO]	R · MO		Oct 17, 2011
Sen. Boozman, John [R-AR]	R · AR		Oct 17, 2011
Sen. Chambliss, Saxby [R-GA]	R · GA		Oct 17, 2011
Sen. Coats, Daniel [R-IN]	R · IN		Oct 17, 2011
Sen. Cochran, Thad [R-MS]	R · MS		Oct 17, 2011
Sen. Crapo, Mike [R-ID]	R · ID		Oct 17, 2011
Sen. DeMint, Jim [R-SC]	R · SC		Oct 17, 2011
Sen. Enzi, Michael B. [R-WY]	R · WY		Oct 17, 2011
Sen. Graham, Lindsey [R-SC]	R · SC		Oct 17, 2011
Sen. Grassley, Chuck [R-IA]	R · IA		Oct 17, 2011
Sen. Heller, Dean [R-NV]	R · NV		Oct 17, 2011
Sen. Hoeven, John [R-ND]	R · ND		Oct 17, 2011
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Oct 17, 2011
Sen. Inhofe, James M. [R-OK]	R · OK		Oct 17, 2011
Sen. Isakson, Johnny [R-GA]	R · GA		Oct 17, 2011
Sen. Johanns, Mike [R-NE]	R · NE		Oct 17, 2011
Sen. Johnson, Ron [R-WI]	R · WI		Oct 17, 2011
Sen. Kirk, Mark Steven [R-IL]	R · IL		Oct 17, 2011
Sen. Lee, Mike [R-UT]	R · UT		Oct 17, 2011
Sen. Lugar, Richard G. [R-IN]	R · IN		Oct 17, 2011
Sen. McConnell, Mitch [R-KY]	R · KY		Oct 17, 2011
Sen. Paul, Rand [R-KY]	R · KY		Oct 17, 2011
Sen. Portman, Rob [R-OH]	R · OH		Oct 17, 2011
Sen. Roberts, Pat [R-KS]	R · KS		Oct 17, 2011
Sen. Rubio, Marco [R-FL]	R · FL		Oct 17, 2011
Sen. Sessions, Jeff [R-AL]	R · AL		Oct 17, 2011
Sen. Shelby, Richard C. [R-AL]	R · AL		Oct 17, 2011
Sen. Thune, John [R-SD]	R · SD		Oct 17, 2011
Sen. Toomey, Patrick [R-PA]	R · PA		Oct 17, 2011
Sen. Vitter, David [R-LA]	R · LA		Oct 17, 2011
Sen. Wicker, Roger F. [R-MS]	R · MS		Oct 17, 2011
Sen. Burr, Richard [R-NC]	R · NC		Oct 18, 2011
Sen. Moran, Jerry [R-KS]	R · KS		Oct 18, 2011
Sen. Risch, James E. [R-ID]	R · ID		Oct 19, 2011
Sen. Cornyn, John [R-TX]	R · TX		Nov 7, 2011
Sen. Hatch, Orrin G. [R-UT]	R · UT		Nov 8, 2011

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
112 HR 6333	Related bill	**Sep 7, 2012:** Referred to the Subcommittee on Courts, Commercial and Administrative Law.
112 HR 6079	Related bill	**Jul 16, 2012:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 451.
112 HR 1996	Related bill	**Jul 11, 2012:** Placed on the Union Calendar, Calendar No. 429.
112 HR 1633	Related bill	**Dec 13, 2011:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 256.
112 HR 674	Related bill	**Nov 21, 2011:** Became Public Law No: 112-56.
112 S 1844	Related bill	**Nov 10, 2011:** Read twice and referred to the Committee on Energy and Natural Resources.
112 S 1762	Related bill	**Oct 31, 2011:** Read twice and referred to the Committee on Finance.
112 S 1726	Related bill	**Oct 20, 2011:** Cloture on the motion to proceed to the bill not invoked in Senate by Yea-Nay Vote. 57 - 43. Record Vote Number: 178. (consideration: CR S6840-6841; text: CR S6840)
112 HR 2898	Related bill	**Oct 3, 2011:** Referred to the Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending .
112 HR 2964	Related bill	**Oct 3, 2011:** Referred to the Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform .
112 S 1615	Related bill	**Sep 22, 2011:** Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.
112 HR 2587	Related bill	**Sep 16, 2011:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 173.
112 S 1523	Related bill	**Sep 8, 2011:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
112 S 1528	Related bill	**Sep 8, 2011:** Read twice and referred to the Committee on Environment and Public Works.
112 S 1438	Related bill	**Jul 28, 2011:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
112 S 299	Related bill	**Jul 20, 2011:** Committee on Homeland Security and Governmental Affairs. Hearings held. Hearings printed: S.Hrg. 112-220.
112 S 1030	Related bill	**Jul 20, 2011:** Committee on Homeland Security and Governmental Affairs. Hearings held. Hearings printed: S.Hrg. 112-220.
112 S 1189	Related bill	**Jul 20, 2011:** Committee on Homeland Security and Governmental Affairs. Hearings held. Hearings printed: S.Hrg. 112-220.
112 S 1292	Related bill	**Jun 29, 2011:** Read twice and referred to the Committee on Environment and Public Works.
112 HR 872	Related bill	**Jun 21, 2011:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 78.
112 S 1226	Related bill	**Jun 16, 2011:** Read twice and referred to the Committee on Environment and Public Works.
112 HR 1872	Related bill	**Jun 8, 2011:** Referred to the Subcommittee on Conservation, Energy, and Forestry.
112 S 1061	Related bill	**May 25, 2011:** Read twice and referred to the Committee on the Judiciary.
112 S 1027	Related bill	**May 19, 2011:** Read twice and referred to the Committee on Energy and Natural Resources.

Bill	Relationship	Last Action
112 HR 910	Related bill	**Apr 8, 2011:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.
112 HR 1043	Related bill	**Mar 11, 2011:** Referred to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
112 S 482	Related bill	**Mar 10, 2011:** Sponsor introductory remarks on measure. (CR S1517-1518)
112 HR 960	Related bill	**Mar 9, 2011:** Referred to the Subcommittee on Water Resources and Environment.
112 S 468	Related bill	**Mar 3, 2011:** Read twice and referred to the Committee on Environment and Public Works. (text of measure as introduced: CR S1221-1222)
112 S 474	Related bill	**Mar 3, 2011:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (text of measure as introduced: CR S1225-1228)
112 HR 735	Related bill	**Feb 18, 2011:** Referred to the Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform .
112 S 89	Related bill	**Feb 11, 2011:** Star Print ordered on on the bill.
112 HR 2	Related bill	**Feb 1, 2011:** Referred to the Subcommittee on Health.
112 S 192	Related bill	**Jan 27, 2011:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 4.
112 S 197	Related bill	**Jan 26, 2011:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
112 S 102	Related bill	**Jan 25, 2011:** Read twice and referred to the Committee on the Budget.
112 S 119	Related bill	**Jan 25, 2011:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
112 S 164	Related bill	**Jan 25, 2011:** Read twice and referred to the Committee on Finance.

Summary (as of Oct 17, 2011)

Jobs Through Growth Act - Expresses the sense of Congress that S.J. Res. 10 (a balanced budget amendment) should be passed and submitted to the states for ratification within 90 days after the enactment of this Act.

Amends the Impoundment Control Act of 1974 to require the Office of Management and Budget (OMB) to transmit, within 45 calendar days after enactment of the funding in question, a message to Congress with specified information requesting any rescission the President proposes under the procedures in this Act. Prescribes requirements for timing and packaging of rescission requests.

Authorizes OMB, subject to a specified time limit, to withhold funding from obligation temporarily if the President proposes a rescission.

Sets forth procedures for expedited congressional consideration of proposed rescissions.

Directs the Senate Committee on Finance and the House Committee on Ways and Means to report legislation that will lower, consolidate, and simplify: (1) the individual income tax system, with not more than three tax rates, the highest being 25%; and (2) the corporate income tax system, with a top tax rate of 25% and a consolidation of the system into two tax rates.

Withholding Tax Relief Act of 2011 - Repeals the provision of the Tax Increase Prevention and Reconciliation Act of 2005 requiring federal, state, and local governmental entities to withhold 3% of payments due to vendors providing goods and services to such entities.

Rescinds $39 billion in offsetting appropriated but unobligated discretionary funds. Requires the Director of the Office of Management and Budget (OMB) to identify the appropriation accounts to which such rescissions shall apply. Exempts unobligated funds of the Department of Defense (DOD) or the Department of Veterans Affairs (VA).

Repeals the Patient Protection and Affordable Care Act and the health care-related provisions in the Health Care and Education Reconciliation Act of 2010. Restores provisions of law amended by such Act or provisions.

Medical Care Access Protection Act of 2011 or the MCAP Act - Sets forth provisions regulating lawsuits for health care liability claims related to the provision of health care services, including provisions shortening the statute of limitations, setting limits on noneconomic and punitive damages, restricting contingency fees, prescribing qualifications for expert witnesses, and reducing damaged based on collateral source benefits.

Repeals the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank), and revives or restores the provisions of law amended by it as if Dodd-Frank had not been enacted.

REINS Act - Rewrites provisions relating to congressional review of agency rulemaking to require congressional approval of major rules of the executive branch before they may take effect (currently, major rules take effect unless Congress passes and the President signs a joint resolution disapproving them). Defines "major rule" as any rule, including an interim final rule, that has resulted in or is likely to result in: (1) an annual effect on the economy of $100 million or more; (2) a major increase in costs or prices; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or U.S. competitiveness.

Provides that if a joint resolution of approval of a major rule is not enacted by the end of 70 session days or legislative days after the agency proposing the rule submits its report on such rule to Congress, the rule shall be deemed not to be

approved and shall not take effect. Permits a major rule to take effect for 90 calendar days without such approval if the President determines such rule is necessary because of an imminent threat to health or safety or other emergency, for the enforcement of criminal laws, for national security, or to implement an international trade agreement.

Sets forth House and Senate procedures for joint resolutions approving major rules and disapproving non-major rules.

Regulation Moratorium and Jobs Preservation Act - Prohibits any federal agency from taking any significant regulatory action until the Bureau of Labor Statistics (BLS) reports a monthly unemployment rate equal to or less than 7.7%. Defines a "significant regulatory action" as an action that is likely to: (1) have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, small entities, or state, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with another agency's action; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues.

Authorizes the President to waive such prohibition if the President notifies Congress that a waiver is necessary on the basis of national security or a national emergency. Allows judicial review of all claims under this Act.

Freedom from Restrictive Excessive Executive Demands and Onerous Mandates Act of 2011 - Amends the Regulatory Flexibility Act (RFA) to revise the regulatory process (rulemaking) with respect to small entities (e.g., small businesses, small organizations, and small governmental jurisdictions).

Defines "economic impact" with respect to a proposed or final rule to mean: (1) the economic effects on small entities directly regulated by the rule, and (2) the reasonably foreseeable economic effects of the rule on small entities resulting from their transactions with other businesses and entities directly regulated by the rule.

Expands judicial review of agency rulemaking to permit small entities to seek judicial review of initial regulatory flexibility analyses and to obtain an injunction of a proposed rule that is noncompliant with RFA requirements.

Requires each agency to establish a plan for the periodic (every nine years) review of: (1) its rules that have a significant adverse economic impact on small entities, and (2) any small entity compliance guide required to be published by an agency. Sets forth criteria for review of a rule, including the continued need for the rule, the complexity of the rule, and the impact of the rule on small entities.

Expands to all agencies the procedures for gathering comments on rules that will have a significant economic impact on small entities.

Extends RFA requirements to informal agency guidance documents.

Amends the Small Business Regulatory Enforcement Fairness Act of 1996 to require each agency to review on a periodic basis the civil penalties it imposes on small entities for violations of statutory or regulatory requirements.

Imposes certain additional requirements on agencies prior to the issuance of a final rule, including requirements for: (1) publication of an initial regulatory flexibility analysis, (2) a determination of the average cost of a rule for affected small entities and the number of small entities affected or reasonably presumed to be affected, and (3) consultation with the Chief Counsel for Advocacy for the Small Business Administration (SBA) with respect to the accuracy of information relating to the cost and impact of a final rule.

Authorizes appropriations to SBA for FY2012-FY2014 to carry out this Act. Repeals certain provisions of the Small

Business Act and the Energy Security and Efficiency Act of 2007 to offset the costs of carrying out this Act and to reduce the federal deficit.

Unfunded Mandates Accountability Act - Amends the Unfunded Mandates Reform Act of 1995 to: (1) require regulatory impact analyses for rules that do not involve a legislative mandate and for final rules that do not have a prior notice of proposed rulemaking; (2) require federal agencies to prepare and publish in the Federal Register an initial and final regulatory impact analysis prior to promulgating any proposed or final rule that may have an annual effect on the economy of $100 million or more or that may result in the expenditure of $100 million or more in any one year by state, local, and tribal governments; (3) require such agencies to identify and consider regulatory alternatives before promulgating any proposed or final rule and select the least costly, most cost-effective, or least burdensome alternative; (4) define "cost" as the cost of compliance and any reasonably foreseeable indirect cost resulting from agency rulemaking; (5) exempt rules concerning monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee from provisions of such Act relating to regulatory accountability and reform, review of federal mandates, and judicial review; and (6) expand provisions relating to judicial review of regulatory impact analyses.

Amends the Congressional Budget and Impoundment Control Act of 1974 to require independent regulatory agencies to conduct regulatory impact analyses.

Government Litigation Savings Act - Revises provisions of the Equal Access to Justice Act (EAJA) and the federal judicial code relating to the fees and other expenses of parties in agency proceedings and court cases against the federal government to: (1) restrict awards of fees and other expenses under such Act to prevailing parties with a direct and personal monetary interest in an adjudication, including because of personal injury, property damage, or an unpaid agency disbursement; (2) require the reduction or denial of awards commensurate with pro bono hours and related fees and expenses to parties who have acted in an obdurate, dilatory, mendacious, or oppressive manner or in bad faith; (3) limit awards to not more than $200,000 in any single adversary adjudication or for more than three adversary adjudications in the same calendar year (unless the adjudicating officer or judge determines that a higher award is required to avoid severe and unjust harm to the prevailing party); and (4) expand the reporting requirements of the Chairman of the Administrative Conference of the United States with respect to fees and other expenses awarded to prevailing parties during the preceding fiscal year.

Requires the Comptroller General to audit the implementation of EAJA for the years 1995 through the end of the calendar year in which this Act is enacted.

Employment Protection Act of 2011 - Requires the Administrator of the Environmental Protection Agency (EPA) to: (1) analyze the impact on employment levels and economic activity prior to promulgating a regulation, policy statement, guidance document, or endangerment finding, implementing any new or substantially altered program, or issuing or denying any permit (action); (2) hold public hearings on such action; and (3) provide notice, prior to such action taking effect, to the congressional delegation, governor, and state legislature upon determining it will have more than a de minimis negative impact.

Farm Dust Regulation Prevention Act of 2011 - Exempts nuisance dust (defined as particulate matter generated from natural sources and agricultural activities typically conducted in rural areas or consisting primarily of soil, windblown dust, or other natural materials) from the Clean Air Act (CAA) and excludes nuisance dust from references in such Act to particulate matter. Makes exceptions with respect to geographical areas where such dust is not regulated under state, tribal, or local law to the extent that the Administrator finds that: (1) nuisance dust causes substantial adverse public

health and welfare effects at ambient concentrations; and (2) the benefits of applying CAA standards and other requirements to such dust outweigh the costs.

Prohibits the Administrator, for one year after enactment of this Act, from proposing, finalizing, implementing, or enforcing any regulation revising the national primary ambient air quality standard or the national secondary ambient air quality standard applicable to particulate matter with an aerodynamic diameter greater than 2.5 micrometers under the CAA.

National Labor Relations Board Reform Act - Amends the National Labor Relations Act to deny the National Labor Relations Board (NLRB) any power to: (1) order an employer (or seek an order against an employer) to restore or reinstate any work, product, production line, or equipment; (2) rescind any relocation, transfer, subcontracting, outsourcing, or other change regarding the location, entity, or employer engaged in production or other business operations; or (3) require any employer to make an initial or additional investment at a particular plant, facility, or location. Applies this denial of power to any complaint for which a final adjudication by the NLRB has not been made by enactment of this Act.

Government Neutrality in Contracting Act - Directs the head of any federal agency that awards or obligates funds for any construction contract, or that awards grants, provides financial assistance, or enters into cooperative agreements for construction projects, to ensure that bid specifications, project agreements, or other controlling documents do not: (1) require or forbid a bidder, offeror, contractor, or subcontractor to enter into or adhere to agreements with a labor organization with respect to that construction project or another related construction project; or (2) otherwise discriminate against such a party because it did or did not become a signatory or otherwise adhere to such an agreement. Allows exemptions to avert an imminent threat to public health or safety or to serve national security.

Directs the Federal Acquisition Regulatory Council to amend the Federal Acquisition Regulation to implement this Act with respect to the applicable federal contracts.

Financial Regulatory Responsibility Act - Prohibits a federal financial regulatory agency from issuing notices of proposed or final rulemakings unless specified analyses have been included in them.

Prohibits an agency from publishing a notice of final rulemaking if it determines that the quantified costs are greater than the quantified benefits.

Requires an agency to make available on its public website sufficient information about the data, methodologies, and assumptions underlying its analyses so that its analytical results are capable of being substantially reproduced.

Requires the chief economist of an agency, within five years after publication in the Federal Register of a notice of final rulemaking, to report to certain congressional committees on the economic impact of the subject regulation, including its direct and indirect costs and benefits.

Requires each federal agency to develop, report to certain congressional committees, and post on its public website a plan to modify, streamline, expand, or repeal existing regulations so as to make the agency's regulatory program more effective or less burdensome in achieving its regulatory objectives.

Authorizes judicial review for a person adversely affected or aggrieved by a regulation.

Establishes the Chief Economists Council to report to certain congressional committees on activities of the financial regulatory agencies.

Requires the Securities and Exchange Commission (SEC) and the Commodity Futures Trading Commission (CFTC) to report separately to certain congressional committees their plans for subjecting to the requirements of this Act the Public Company Accounting Oversight Board, the Municipal Securities Rulemaking Board, and registered national securities associations on the one hand, and registered futures associations on the other.

Regulatory Responsibility for our Economy Act - Sets forth general requirements for the federal regulatory system, including the protection of public health, welfare, safety, and the environment, the promotion of predictability in the regulatory process, and the consideration of benefits and costs of regulations.

Requires federal agencies to: (1) propose or adopt regulations only upon a reasoned determination that the benefits of such regulations justify their costs; (2) tailor regulations to impose the least burden on society and to maximize economic and other benefits; (3) involve the public and parties affected by regulations in the regulatory process; (4) develop regulatory actions that promote innovation, flexibility, and objectivity; (5) consider methods to promote retrospective analysis of rules that may be outmoded, ineffective, insufficient, or excessively burdensome; and (6) develop plans for reviewing on a periodic basis significant regulation actions (i.e., those having an annual effect on the economy of $100 million or more or otherwise adversely affecting the economy).

Reducing Regulatory Burdens Act of 2011 - Amends the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Water Pollution Control Act (commonly known as the Clean Water Act [CWA]) to prohibit the Administrator of the Environmental Protection Agency (EPA) or a state from requiring a permit under the CWA for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under FIFRA, or the residue of such a pesticide, resulting from the application of such pesticide. Makes exceptions with respect to: (1) a discharge resulting from the application of a pesticide in violation of FIFRA that is relevant to protecting water quality, if the discharge would not have occurred but for the violation or if the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation; and (2) stormwater discharges, municipal or industrial effluent discharges, treatment works effluent discharges, and discharges incidental to the normal operation of a vessel that are regulated under the National Pollutant Discharge Elimination System.

Domestic Jobs, Domestic Energy, and Deficit Reduction Act - Considers that the Secretary of the Interior has approved the Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program 2010-2015 as a final oil and gas leasing program under the Outer Continental Shelf Lands Act.

Directs the Secretary to: (1) conduct a lease sale in each outer Continental Shelf planning area (except the North Atlantic Planning Area) for which there is a commercial interest in purchasing federal oil and gas production leases, and (2) hold lease sales for specified areas in the Central Gulf of Mexico, Western Gulf of Mexico, and the state of Virginia.

Amends the Outer Continental Shelf Lands Act (OCSLA) to require the Secretary to approve or disapprove a drill permit application within 20 days after submission.

Grants United States Court of Appeals for the Fifth Circuit exclusive jurisdiction over challenges to offshore energy projects and permits to drill carried out in the Gulf of Mexico.

Amends the Oil Shale, Tar Sands, and Other Strategic Unconventional Fuels Act of 2005 to require (current law authorizes) the Secretary to conduct lease sales under commercial leasing program regulations in any state if the Secretary finds sufficient support and interest exists in such state for the development of tar sands and oil shale resources.

Amends the National Environmental Policy Act of 1969 (NEPA) to require completion of the review of environmental impact statements within 270 days after commencement of such review or the action concerned shall be considered a final agency action with no significant environmental impact.

Amends the Clean Air Act to: (1) declare that carbon dioxide, methane from agriculture or livestock, and water vapor are not air pollutants; and (2) require an economic analysis of any requirement of such Act that results in an adverse effect on employment. Requires the Secretary of Commerce to establish an economic review board to assess such an analysis.

Amends the Endangered Species Act of 1973 (ESA) to require the Secretary of the Interior or the Secretary of Commerce, upon a state governor's declaration of an emergency, to exempt from the prohibition against taking and the prohibition against adverse modification of critical habitat any action reasonably necessary to avoid or ameliorate the impact of the emergency.

Prohibits consideration of the impact of greenhouse gas on any species of fish or wildlife or plant for any purpose in the implementation of the ESA.

Instructs the Administrator of the Environment Protection Agency (EPA) to approve the specification of the areas described in the notice entitled "Final Determination of the Assistant Administrator for Water Pursuant to Section 404(c) of the Clean Water Act Concerning the Spruce No. 1 Mine, Logan County, WV."

Instructs the Secretary of the Interior to issue or reissue each lease for the production of oil or gas in Utah that was canceled during calendar years 2009 through 2011.

Prohibits the Bureau of Reclamation of the Department of the Interior and any California state agency operating a water project in connection with the Central Valley Project from restricting operations of an applicable project pursuant to any biological opinion issued under ESA if it would result in a level of allocation of water less than the historical maximum allocation under the project.

Instructs the EPA Administrator to issue without further review or analysis a permit to Shell Oil Company to drill for oil in the Beaufort Sea.

Prohibits the award or federal payment of legal fees to an environmental nongovernmental organization in connection with any action: (1) preventing, terminating, or reducing access to production of energy, mineral resources, water by agricultural producers, a resource by commercial or recreational fishermen, or grazing or timber production on federal land; (2) diminishing a property owner's private property value; or (3) eliminating or preventing one or more jobs.

Jobs and Energy Permitting Act - Amends the Clean Air Act to require any air quality impact of Outer Continental Shelf (OCS) sources to be measured or modeled and determined solely with respect to the impacts in the corresponding onshore area.

Revises requirements for controlling air pollution from OCS sources located offshore of the states along the Pacific, Arctic and Atlantic Coasts, and along the U.S. Gulf Coast off Florida. Exempts any direct emission from any vessel servicing or associated with an OCS source from any emission control requirement applicable to such source. Declares that an OCS source, for platform or drill ship exploration, is established when drilling commences at a location and ceases to exist when drilling activity ends at such location or is temporarily interrupted because the platform or drill ship relocates.

Requires: (1) final agency action on a permit application for platform or drill ship exploration for an OCS source under such Act to be taken no later than 180 days after the filing of such application;(2) such final agency action to be

considered to be nationally applicable under judicial review; and (3) judicial review of such action to be without additional administrative review or adjudication. Denies the Environmental Appeals Board of the Environmental Protection Agency (EPA) any authority to consider any matter regarding the consideration, issuance, or denial of such permit. Prohibits extension of any administrative stay of the effectiveness of such permit beyond 180 days after the date of filing of such application.

American Energy and Western Jobs Act - Rescinds and declares without force or effect: (1) Bureau of Land Management (BLM) Instruction Memoranda numbered 2010-117 (Oil and Gas Leasing Reform -- Land Use Planning and Lease Parcel Reviews) and 2010-118 (Energy Policy Act Section 390 Categorical Exclusion Policy Revision), both issued on May 17, 2010; and (2) Secretarial Order No. 3310 (Wild Lands Policy) issued by the Secretary of the Interior on December 22, 2010.

Amends the Mineral Leasing Act to instruct the Secretary to automatically issue a lease 60 days after the date of the payment by the successful bidder of the remainder of the bonus bid and the annual rental for the first lease year, unless the Secretary can issue the lease before that date.

Directs the Secretary, before modifying and implementing any onshore oil or natural gas preleasing or leasing and development policy, or a policy relating to protecting the wilderness characteristics of public land, to complete an economic impact assessment and determine that the proposed policy modification will not: (1) result in a detrimental impact on employment opportunities relating to oil- and natural gas-related development, (2) contribute to an increase in the domestic use of imported petroleum resources, or (3) contribute to an aggregate loss of oil and natural gas receipts.

Directs the Secretary, acting through the Director of the Bureau of Land Management, and the Secretary of Agriculture, acting through the Chief of the Forest Service, to submit and publicize an annual report detailing for each field office the revenues generated by specified uses of public land.

Directs the Secretary to: (1) establish a domestic strategic production goal for the development of oil and natural gas managed by the federal government; and (2) hold a lease sale offering an additional 10 parcels for lease for research, development, and demonstration of oil shale resources in accordance with a specified solicitation of bids for leases.

Applies the final rule entitled "Oil Shale Management-General" to all commercial leasing for the management of federally owned oil shale and associated minerals located on federal land.

Mining Jobs Protection Act - Amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to repeal provisions that require the Administrator of the Environmental Protection Agency (EPA) to consult with the Secretary of the Army before denying or restricting the use of specified areas as disposal sites for discharges of dredged or fill material into waters of the United States.

Requires the Administrator to provide to the Secretary notice of any concerns with respect to a specification for a disposal site proposed to be issued under a permit to discharge into navigable waters and the reasons for any disapproval of permits.

Removes the Administrator's authority to prohibit the specification of any defined area as a disposal site: (1) 60 days after the Administrator receives the proposed specification from the Secretary for review; and (2) once the Secretary has issued a permit for dredged or fill material. Authorizes the Secretary to reevaluate and reissue, or to elect not to reissue, a specification in any case in which, before the enactment of this Act, the Administrator disapproved it after it was issued by the Secretary.

Sets forth requirements that must be met before the Administrator or the head of another agency requests that a proposed permit for dredged or fill material receive a higher level of review by the Secretary.

Energy Tax Prevention Act - Amends the Clean Air Act, subject to exemptions, to prohibit the Administrator of the Environmental Protection Agency (EPA) from promulgating any regulation concerning, taking action relating to, or taking into consideration, the emission of a greenhouse gas (GHG) to address climate change. Excludes GHGs from the definition of "air pollutant" for purposes of addressing climate change.

Repeals and makes ineffective specified rules and actions concerning permit requirements or emission standards for GHGs to address climate change.

Prohibits the Administrator from waiving, and invalidates waivers by the Administrator before the enactment of this Act of, the prohibition against states adopting or enforcing standards relating to the control of emissions from new motor vehicles or engines with respect to GHG emissions for model year 2017 or any subsequent model year.

Amends the Energy Independence and Security Act of 2007 to repeal the prohibition against any federal agency contract for procurement of an alternative or synthetic fuel for any mobility-related use (other than for research or testing) unless the contract specifies that the lifecycle GHG emissions associated with the production and combustion of the fuel supplied under the contract must, on an ongoing basis, be less than or equal to greenhouse gas emissions from the equivalent conventional fuel produced from conventional petroleum sources.

Public Lands Job Creation Act - Declares that if, by 45 days after a state Bureau of Land Management (BLM) office has submitted a Federal Register notice to the Washington, DC, office of the BLM for review by the Department of the Interior, the review has not been completed: (1) the notice shall consider to be approved, and (2) the state BLM office shall immediately forward the notice to the Federal Register for publication.

Creating American Jobs through Exports Act of 2011 - Amends the Bipartisan Trade Promotion Authority Act of 2002 to authorize the President to enter into trade agreements with foreign countries regarding tariff and nontariff trade barriers: (1) on and after enactment of this Act and before June 1, 2013; or (2) on and after June 1, 2013, and before December 31, 2013, if certain congressional trade authorities procedures for implementing trade bills are extended for such period.

Applies certain congressional and presidential (fast track) trade authorities requirements with respect to agreements on tariff and nontariff barriers to a trade agreement establishing a Trans-Pacific Partnership that resulted from negotiations commenced before enactment of this Act.

Revises the standard for the application of certain congressional trade authorities procedures to implementing bills for trade agreements regarding tariff and nontariff trade barriers. Treats as an implementing bill subject to such procedures any bill containing provisions necessary to the implementation and enforcement of a trade agreement.

Actions Timeline

- **Oct 18, 2011:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 203.
- **Oct 17, 2011:** Introduced in Senate
- **Oct 17, 2011:** Sponsor introductory remarks on measure. (CR S6566-6568)
- **Oct 17, 2011:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.

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