

105TH CONGRESS
1ST SESSION

S. 891

To require Federal agencies to assess the impact of policies and regulations on families, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 12, 1997

Mr. ABRAHAM (for himself, Mr. FAIRCLOTH, Mr. SESSIONS, Mr. HUTCHINSON, Mr. DEWINE, Mr. COATS, Mr. ASHCROFT, and Mr. COVERDELL) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To require Federal agencies to assess the impact of policies and regulations on families, 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. PURPOSES.**

4 The purposes of this Act are to—

5 (1) require agencies to assess the impact of pro-
6 posed agency actions on families; and

7 (2) improve the management of executive
8 branch agencies.

1 **SEC. 2. DEFINITION.**

2 In this Act, the term “agency” has the meaning given
3 the term “Executive agency” under section 105 of title
4 5, United States Code (except such term shall not include
5 the General Accounting Office).

6 **SEC. 3. FAMILY POLICYMAKING ASSESSMENT.**

7 In formulating and implementing policies and regula-
8 tions that may have significant impact on family forma-
9 tion, maintenance, and general well-being, each agency
10 shall, to the extent permitted by law, assess such actions
11 with respect to whether—

12 (1) the action strengthens or erodes the stabil-
13 ity of the family and, particularly, the marital com-
14 mitment;

15 (2) the action strengthens or erodes the author-
16 ity and rights of parents in the education, nurture,
17 and supervision of their children;

18 (3) the action helps the family perform its func-
19 tions, or substitutes governmental activity for the
20 function;

21 (4) the action increases or decreases family
22 earnings;

23 (5) the proposed benefits of the action justifies
24 the financial impact on the family;

25 (6) the action may be carried out by State or
26 local government or by the family; and

1 (7) the action establishes an implicit or explicit
2 policy—

3 (A) concerning the status of the family;
4 and

5 (B) concerning the relationship between
6 the behavior and personal responsibility of
7 youth, and the norms of society.

8 **SEC. 4. GOVERNMENTWIDE FAMILY POLICY COORDINA-**
9 **TION AND REVIEW.**

10 (a) IN GENERAL.—

11 (1) PROPOSED POLICY.—Each agency shall—

12 (A) identify any proposed regulatory and
13 statutory provision that may have significant
14 potential negative impact on the family well-
15 being; and

16 (B) provide adequate rationale for the sub-
17 mission of such proposal.

18 (2) CERTIFICATION.—The head of each agency
19 shall submit a written certification to the Office of
20 Management and Budget that certifies, to the extent
21 permitted by law—

22 (A) such proposed regulatory or statutory
23 provision has been assessed in accordance with
24 section 3; and

1 (B) the manner in which such proposals
 2 will enhance family well-being.

3 (3) RULEMAKING AND CONGRESSIONAL MES-
 4 SAGES.—In notices of proposed rulemaking and mes-
 5 sages transmitting legislative proposals to Congress,
 6 each agency shall give careful consideration to—

7 (A) family related concerns; and

8 (B) the impact on such concerns.

9 (b) OFFICE OF MANAGEMENT AND BUDGET.—The
 10 Office of Management and Budget shall, to the extent per-
 11 mitted by law, take action to ensure that the policies of
 12 agencies are applied consistent with the assessments con-
 13 ducted under section 3.

14 (c) OFFICE OF POLICY DEVELOPMENT.—The Office
 15 of Policy Development shall—

16 (1) assess existing and proposed policies and
 17 regulations that impact family well-being in accord-
 18 ance with section 3;

19 (2) provide evaluations on policies and regula-
 20 tions that have significant potential impact on the
 21 family to the Office of Management and Budget;
 22 and

23 (3) advise the President on policy and regu-
 24 latory actions that may be taken to strengthen the

1 institutions of marriage and family in the United
2 States.

3 **SEC. 5. REPORT.**

4 The White House Office of Policy Development,
5 through the Domestic Policy Council, shall annually sub-
6 mit a report to the President, the Committee on Govern-
7 mental Affairs of the Senate, and the Committee on Gov-
8 ernment Reform and Oversight of the House of Represent-
9 atives, on compliance with this Act and shall include any
10 recommendations relating to this Act.

11 **SEC. 6. RULE OF CONSTRUCTION.**

12 Nothing in this Act shall be construed to create any
13 right or benefit, substantive or procedural, enforceable at
14 law by a party against the United States (including any
15 officer or agency of the United States) or any person.

○