

119TH CONGRESS
1ST SESSION

S. _____

To require reports regarding artificial intelligence-related job impacts, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. HAWLEY (for himself and Mr. WARNER) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To require reports regarding artificial intelligence-related job
impacts, 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 “AI-Related Job Im-
5 pacts Clarity Act”.

6 **SEC. 2. DISCLOSURES AND REPORTS REGARDING ARTIFI-**
7 **CIAL INTELLIGENCE-RELATED JOB IMPACTS.**

8 (a) COVERED ENTITY DISCLOSURES.—

9 (1) IN GENERAL.—Not more than 30 days after
10 the last day of each quarter, a covered entity shall,

1 with respect to such quarter, disclose to the Sec-
2 retary any artificial intelligence-related job impact
3 experienced by the entity in the United States (in-
4 cluding any territory or possession of the United
5 States), including—

6 (A) the number of individuals laid off by
7 the covered entity in the United States (includ-
8 ing any territory or possession of the United
9 States) during the quarter that are substan-
10 tially due to the replacement or automation by
11 artificial intelligence of the functions performed
12 by such individuals;

13 (B) the number of individuals hired by the
14 covered entity in the United States (including
15 any territory or possession of the United
16 States) during the quarter that are substan-
17 tially due to the incorporation of artificial intel-
18 ligence;

19 (C) the number of positions of the covered
20 entity in the United States (including any terri-
21 tory or possession of the United States) that
22 were occupied at any point during the prior
23 quarter for which the covered entity has decided
24 not to fill based on a reason that is substan-
25 tially due to the replacement or automation by

1 artificial intelligence of the functions of such
2 positions;

3 (D) the number of individuals in the
4 United States (including any territory or pos-
5 session of the United States) whom the covered
6 entity is retraining, or assisting in retraining,
7 based on a reason that is substantially due to
8 artificial intelligence; and

9 (E) any other information related to artifi-
10 cial intelligence-related job impacts, as deter-
11 mined appropriate by the Secretary.

12 (2) NAICS CODES.—With respect to each arti-
13 ficial intelligence-related job impact disclosure under
14 paragraph (1), the covered entity shall provide in
15 such disclosure the corresponding North American
16 Industry Classification System codes.

17 (3) SURVEYS.—

18 (A) IN GENERAL.—As determined appro-
19 priate by the Secretary, the Secretary may—

20 (i)(I) revise an existing survey con-
21 ducted by the Secretary as of the date of
22 enactment of this Act to incorporate the
23 disclosures required under this subsection
24 into such a survey; or

1 (II) collaborate with the Bureau of
2 the Census to revise an existing survey
3 conducted by the Bureau of the Census as
4 of the date of enactment of this Act, or an
5 existing survey conducted as of such date
6 of enactment by the Secretary in partner-
7 ship with the Bureau of the Census, to in-
8 corporate the disclosures required under
9 this subsection into such a survey; and

10 (ii) allow covered entities to comply
11 with the requirements of this subsection by
12 making such disclosures through such sur-
13 vey.

14 (B) BUREAU OF THE CENSUS SURVEYS.—

15 In the case the disclosures required under this
16 subsection are incorporated pursuant to sub-
17 paragraph (A) into a survey conducted by the
18 Bureau of the Census that is not a survey con-
19 ducted in partnership with the Secretary, the
20 Bureau of the Census shall, for each quarter,
21 share the data from such disclosures with the
22 Secretary in order for the Secretary to prepare
23 the reports required under subsection (b).

24 (b) DEPARTMENT OF LABOR REPORTS.—The Sec-
25 retary, in consultation with the Director of the Office of

1 Management and Budget and the Director of the Office
2 of Professional Management, shall—

3 (1) for each quarter, prepare a report—

4 (A) summarizing the data from disclosures
5 submitted under subsection (a) during the
6 quarter; and

7 (B) for the quarter ending on December
8 31, summarizing such data for the calendar
9 year;

10 (2) for every other quarter, prepare a report
11 analyzing the net impact of the data contained in
12 the report under paragraph (1) for such quarter and
13 for the preceding quarter, and any other relevant
14 data available to the Secretary with respect to artifi-
15 cial intelligence-related job impacts; and

16 (3) not more than 60 days after the last day of
17 each quarter—

18 (A) publish each report prepared for the
19 quarter under paragraph (1) and, as applicable,
20 paragraph (2), and the data underlying such re-
21 ports on the website of the Bureau of Labor
22 Statistics; and

23 (B) submit each such report to Congress.

24 (c) APPLICATION TO NON-PUBLICLY-TRADED COM-
25 PANIES.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of enactment of this Act, the Sec-
3 retary, in consultation with the Securities and Ex-
4 change Commission and the Secretary of the Treas-
5 ury, shall issue regulations to determine the extent
6 to which non-publicly-traded companies shall be in-
7 cluded as subject to the reporting requirements
8 under subsection (a).

9 (2) SCOPE OF RULEMAKING.—The regulations
10 issued under this subsection shall—

11 (A) identify for such inclusion categories of
12 non-publicly-traded companies that have a sig-
13 nificant workforce, estimated enterprise value,
14 or employment impact on a regional or national
15 basis;

16 (B) consider for such inclusion thresholds
17 with respect to non-publicly-traded companies,
18 such as—

19 (i) the number of employees employed
20 by such companies;

21 (ii) the annual revenue of such compa-
22 nies; or

23 (iii) the industry classification under
24 the North American Industry Classification
25 System for such companies;

1 (C) ensure that any reporting requirements
2 under subsection (a) applicable to a non-pub-
3 licly-traded company are proportionate to the
4 size and capacity of such company; and

5 (D) establish procedures for the confiden-
6 tial submission and publication of data of non-
7 publicly-traded companies in order to protect
8 the proprietary or personally identifiable infor-
9 mation of such companies.

10 (3) PUBLIC COMMENT.—In issuing the regula-
11 tions under this subsection, the Secretary shall pro-
12 vide for notice and comment in accordance with sec-
13 tion 553 of title 5, United States Code.

14 (d) DEFINITIONS.—In this section:

15 (1) ARTIFICIAL INTELLIGENCE.—The term “ar-
16 tificial intelligence” has the meaning given the term
17 in section 5002 of the National Artificial Intelligence
18 Initiative Act of 2020 (15 U.S.C. 9401).

19 (2) COVERED ENTITY.—The term “covered en-
20 tity” means—

21 (A) an entity that is—

22 (i) a publicly-traded company; or

23 (ii) an agency, as defined in section
24 551 of title 5, United States Code; and

25 (B) an entity that—

1 (i) is a non-publicly-traded company;

2 and

3 (ii) is identified by the Secretary
4 through regulations issued under sub-
5 section (c) for inclusion as subject to the
6 requirements under subsection (a).

7 (3) NON-PUBLICLY-TRADED COMPANY.—

8 (A) IN GENERAL.—The term “non-pub-
9 licly-traded company” means a business entity
10 engaged in interstate commerce that—

11 (i) is not an issuer, the securities of
12 which are listed on a national securities ex-
13 change; and

14 (ii) is not otherwise required to file re-
15 ports with the Securities and Exchange
16 Commission under section 13 or 15(d) of
17 the Securities Exchange Act of 1934 (15
18 U.S.C. 78m; 78o(d)).

19 (B) SECURITIES DEFINITIONS.—In this
20 paragraph—

21 (i) the terms “exchange”, “issuer”,
22 and “security” have the meanings given
23 those terms in section 3(a) of the Securi-
24 ties Exchange Act of 1934 (15 U.S.C.
25 78c(a)); and

1 (ii) the term “national securities ex-
2 change” means an exchange registered
3 pursuant to section 6 of the Securities Ex-
4 change Act of 1934 (15 U.S.C. 78f).

5 (4) PUBLICLY-TRADED COMPANY.—The term
6 “publicly-traded company” has the meaning given
7 the term in section 5003(a) of the American Rescue
8 Plan Act of 2021 (15 U.S.C. 9009c(a)).

9 (5) QUARTER.—The term “quarter” has the
10 meaning given the term “calendar quarter” in sec-
11 tion 5061(d)(4)(C) of the Internal Revenue Code of
12 1986.

13 (6) SECRETARY.—The term “Secretary” means
14 the Secretary of Labor, acting through the Commis-
15 sioner of Labor Statistics.