

111TH CONGRESS
2^D SESSION

H. R. 5637

To amend the Federal Property and Administrative Services Act of 1949 and title 10, United States Code, to allow contracting officers to consider information regarding domestic employment before awarding a Federal contract, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 2010

Mr. MURPHY of Connecticut (for himself, Mr. JONES, Ms. SUTTON, Mr. CRITZ, Mr. SCHAUER, Mr. RYAN of Ohio, Mr. LIPINSKI, and Mr. MANZULLO) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, 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

A BILL

To amend the Federal Property and Administrative Services Act of 1949 and title 10, United States Code, to allow contracting officers to consider information regarding domestic employment before awarding a Federal contract, 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 “American Jobs Matter
5 Act of 2010”.

1 **SEC. 2. CONSIDERATION AND VERIFICATION OF INFORMA-**
2 **TION RELATING TO EFFECT ON DOMESTIC**
3 **EMPLOYMENT OF AWARD OF FEDERAL CON-**
4 **TRACTS.**

5 (a) CIVILIAN AGENCY CONTRACTS.—Section 303A of
6 the Federal Property and Administrative Services Act of
7 1949 (41 U.S.C. 253a) is amended by adding at the end
8 the following new subsection:

9 “(f)(1) An executive agency, in issuing a solicitation
10 for competitive proposals, shall state in the solicitation
11 that the offeror may submit information (in this sub-
12 section referred to as a ‘jobs impact statement’) with its
13 offer related to the effects on employment within the
14 United States of the contract if it is awarded to the offer-
15 or.

16 “(2) The information that may be included in a jobs
17 impact statement may include the following:

18 “(A) The number of jobs expected to be created
19 in the United States, or the number of jobs retained
20 that otherwise would be lost, if the contract is
21 awarded to the offeror.

22 “(B) The number of jobs created or retained in
23 the United States by the subcontractors expected to
24 be used by the offeror in the performance of the con-
25 tract.

1 “(C) A guarantee from the offeror that jobs
2 created or retained in the United States will not be
3 moved outside the United States after award of the
4 contract.

5 “(3) The contracting officer may consider the infor-
6 mation in the jobs impact statement in the evaluation of
7 the offer and may request further information from the
8 offeror in order to verify the accuracy of any such informa-
9 tion submitted.

10 “(4) The head of each executive agency shall submit
11 to Congress an annual report on the frequency of use with-
12 in the agency of jobs impact statements in the evaluation
13 of competitive proposals.”.

14 (b) DEFENSE CONTRACTS.—Section 2305(a) of title
15 10, United States Code, is amended by adding at the end
16 the following new paragraph:

17 “(6)(A) The head of an agency, in issuing a solicita-
18 tion for competitive proposals, shall state in the solicita-
19 tion that the offeror may submit information (in this para-
20 graph referred to as a ‘jobs impact statement’) with its
21 offer related to the effects on employment within the
22 United States of the contract if it is awarded to the offer-
23 or.

24 “(B) The information that may be included in a jobs
25 impact statement may include the following:

1 “(i) The number of jobs expected to be created
2 in the United States, or the number of jobs retained
3 that otherwise would be lost, if the contract is
4 awarded to the offeror.

5 “(ii) The number of jobs created or retained in
6 the United States by the subcontractors expected to
7 be used by the offeror in the performance of the con-
8 tract.

9 “(iii) A guarantee from the offeror that jobs
10 created or retained in the United States will not be
11 moved outside the United States after award of the
12 contract.

13 “(C) The contracting officer may consider the infor-
14 mation in the jobs impact statement in the evaluation of
15 the offer and may request further information from the
16 offeror in order to verify the accuracy of any such informa-
17 tion submitted.

18 “(D) The Secretary of Defense shall submit to Con-
19 gress an annual report on the frequency of use within the
20 Department of Defense of jobs impact statements in the
21 evaluation of competitive proposals.”.

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