

**AMENDMENT TO H.R. 5136, AS REPORTED
OFFERED BY MS. GINNY BROWN-WAITE OF
FLORIDA**

At the end of title VIII, add the following new section:

**1 SEC. 839. DEBARMENT OR SUSPENSION FROM FEDERAL
2 CONTRACTING FOR EMPLOYMENT OF ILLE-
3 GAL ALIENS.**

4 (a) REQUIREMENT.—In the case of a contract award-
5 ed by the Department of Defense, if the Secretary of De-
6 fense determines, by a preponderance of the evidence, that
7 the contractor performing the contract directly employed,
8 or had knowledge of a subcontractor's employment of, any
9 alien whose immigration status does not authorize the
10 alien to be so employed, the Secretary shall—

11 (1) debar or suspend the contractor in accord-
12 ance with the Federal Acquisition Regulation; and

13 (2) terminate the contract in accordance with
14 the Federal Acquisition Regulation, unless the con-
15 tractor or subcontractor, as the case may be, agrees
16 to terminate the employment of any such alien.

1 (b) PERIOD OF DEBARMENT OR SUSPENSION.—The
2 period of debarment or suspension under subsection (a)
3 shall be 3 years.

4 (c) ANNUAL REPORT.—The Secretary of Defense
5 shall submit to Congress each year a report describing—

6 (1) the contractors that the Department of De-
7 fense has debarred or suspended pursuant to this
8 section;

9 (2) the contracts that the Department has ter-
10 minated pursuant to this section; and

11 (3) any cost implications of debarments, sus-
12 pensions, or terminations of contracts referred to in
13 paragraphs (1) and (2).

