25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MURPHY OF CONNECTICUT OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO H.R. 1540, AS REPORTED

OFFERED BY MR. MURPHY OF CONNECTICUT

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

SEC. 845. CONSIDERATION AND VERIFICATION OF INFORMATION RELATING TO EFFECT ON DOMESTIC EMPLOYMENT OF AWARD OF DEFENSE CONTRACTS.

(a) IN GENERAL.—Section 2305(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(6)(A) The head of an agency, in issuing a solicitation for competitive proposals, shall state in the solicitation that the agency may consider information (in this paragraph referred to as a 'jobs impact statement') that the offeror may include in its offer related to the effects on employment within the United States of the contract if it is awarded to the offeror.

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

"(i) The number of jobs expected to be created in the United States, or the number of jobs retained

1 that otherwise would be lost, if the contract is
2 awarded to the offeror.
3 "(ii) The number of jobs created or retained in
4 the United States by the subcontractors expected to
5 be used by the offeror in the performance of the con-
6 tract.
7 "(iii) A guarantee from the offeror that jobs
8 created or retained in the United States will not be
9 moved outside the United States after award of the
10 contract.
11 "(C) The contracting officer may consider the infor-
12 mation in the jobs impact statement in the evaluation of
13 the offer and may request further information from the
14 offeror in order to verify the accuracy of any such informa-
15 tion submitted.
16 "(D) In the case of a contract awarded to an offeror
17 that submitted a jobs impact statement with the offer for
18 the contract, the agency shall, not later than six months
19 after the award of the contract and annually thereafter
20 for the duration of the contract or contract extension, as-
21 sess the accuracy of the jobs impact statement.
22 "(E) The Secretary of Defense shall submit to Con-
23 gress an annual report on the frequency of use within the
24 Department of Defense of jobs impact statements in the
25 evaluation of competitive proposals.

1 "(F) In any contract awarded to an offeror that sub-
2 mitted a jobs impact statement with its offer in response
3 to the solicitation for proposals for the contract, the agen-
4 cy shall track the number of jobs created or retained dur-
5 ing the performance of the contract. If the number of jobs
6 that the agency estimates will be created (by using the
7 jobs impact statement) significantly exceeds the number
8 of jobs created or retained, then the agency may evaluate
9 whether the contractor should be proposed for debar-
10 ment.".

11 (b) REVISION OF FEDERAL ACQUISITION REGULA-
12 TION.—The Federal Acquisition Regulation shall be re-
13 vised to implement the amendment made by this section.