

**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:

1 **SEC. 845. CONSIDERATION AND VERIFICATION OF INFOR-**  
2 **MATION RELATING TO EFFECT ON DOMESTIC**  
3 **EMPLOYMENT OF AWARD OF DEFENSE CON-**  
4 **TRACTS.**

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

8 “(6)(A) The head of an agency, in issuing a solicita-  
9 tion for competitive proposals, shall state in the solicita-  
10 tion that the agency may consider information (in this  
11 paragraph referred to as a ‘jobs impact statement’) that  
12 the offeror may include in its offer related to the effects  
13 on employment within the United States of the contract  
14 if it is awarded to the offeror.

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

17 “(i) The number of jobs expected to be created  
18 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.

