

111TH CONGRESS
1ST SESSION

H. R. 4280

To prohibit business enterprises that lay off a greater percentage of their United States workers than workers in other countries from receiving any Federal assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2009

Mr. VISCLOSKY introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To prohibit business enterprises that lay off a greater percentage of their United States workers than workers in other countries from receiving any Federal assistance, 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 “Fighting for American
5 Jobs Act of 2009”.

1 **SEC. 2. GENERAL REPORTING REQUIREMENTS FOR RE-**
2 **CEIPT OF FEDERAL ASSISTANCE BY BUSI-**
3 **NESS ENTERPRISES.**

4 (a) INITIAL REQUIREMENT.—Each Federal depart-
5 ment or agency that provides contracts, grants, loans, or
6 loan guarantees to business enterprises after the date of
7 the enactment of this Act shall require that, as condition
8 of receipt of a contract, grant, loan, or loan guarantee,
9 a business enterprise shall provide to the department or
10 agency on an annual basis for the duration of the contract,
11 grant, loan, or loan guarantee the following information:

12 (1) The number of individuals employed by the
13 business enterprise in the United States.

14 (2) The number of individuals employed by the
15 business enterprise outside the United States.

16 (3) A description of the wages and benefits
17 being provided to the employees of the business en-
18 terprise in the United States.

19 (b) SUBSEQUENT REQUIREMENT.—Beginning 1 year
20 after the date on which a Federal department or agency
21 provides a contract, grant, loan, or loan guarantee to a
22 business enterprise after the date of the enactment of this
23 Act, the department or agency shall require the business
24 enterprise to provide to the department or agency on an
25 annual basis for the duration of the contract, grant, loan,

1 or loan guarantee a written certification that contains the
2 following information:

3 (1) The percentage of the workforce of the busi-
4 ness enterprise employed in the United States that
5 has been laid off or induced to resign from the busi-
6 ness enterprise during the preceding year.

7 (2) The percentage of the total workforce of the
8 business enterprise that has been laid off or induced
9 to resign from the business enterprise during the
10 preceding year.

11 **SEC. 3. PROHIBITION ON FEDERAL ASSISTANCE TO BUSI-**
12 **NESS ENTERPRISES THAT LAY OFF A GREAT-**
13 **ER PERCENTAGE OF WORKERS IN THE**
14 **UNITED STATES THAN IN OTHER COUNTRIES.**

15 Notwithstanding any other provision of law, if, in a
16 written certification provided to a Federal department or
17 agency by a business enterprise under section 2(b), the
18 percentage described in section 2(b)(1) is greater than the
19 percentage described in section 2(b)(2), then the business
20 enterprise shall be ineligible for further assistance from
21 the department or agency, and shall be ineligible for as-
22 sistance from any other Federal department or agency,
23 unless and until the business enterprise provides to the
24 department or agency involved a new written certification
25 which provides that the percentage of the workforce of the

1 business enterprise employed in the United States is equal
2 to or greater than such percentage for the year preceding
3 the year for which the written certification under section
4 2(b) was provided.

5 **SEC. 4. DEFINITIONS.**

6 In this Act:

7 (1) The term “United States” includes the sev-
8 eral States, the District of Columbia, Puerto Rico,
9 the Northern Mariana Islands, the Virgin Islands,
10 Guam, American Samoa, and any other territory or
11 possession of the United States.

12 (2) The term “business enterprise” does not in-
13 clude a small business concern, as defined under the
14 Small Business Act and regulations implementing
15 that Act.

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