

113TH CONGRESS
2D SESSION

H. R. 5250

To use Federal purchasing power to create good jobs, rebuild the middle class, address income inequality, stimulate the economy, and to achieve other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2014

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

A BILL

To use Federal purchasing power to create good jobs, rebuild the middle class, address income inequality, stimulate the economy, and to achieve 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 “Restore Opportunity,
5 Strengthen, and Improve the Economy Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress of the United States
8 finds the following:

1 (1) The disappearance of good jobs, the shrink-
2 ing of the middle class, and growing income inequal-
3 ity are the greatest domestic challenges confronting
4 the Nation.

5 (2) The United States Government is the larg-
6 est purchaser of goods and services in the Nation's
7 private-sector economy, spending over \$1.5 trillion
8 dollars annually at firms that employ a quarter of
9 American workers.

10 (3)(A) Federal purchasing power is currently
11 creating millions of poverty-level jobs, subsidizing
12 labor law-breakers, and funding ballooning executive
13 compensation.

14 (B) The Federal Government is the Nation's
15 leading creator of low-wage jobs in the private sec-
16 tor, funding more than 2,000,000 jobs paying under
17 \$12 per hour.

18 (C) The Federal Government awards taxpayer
19 dollars to a substantial number of firms that violate
20 Federal labor, employment, and occupational safety
21 laws.

22 (D) Federal Government purchasing subsidizes
23 the excessive salaries of private-sector executives
24 who do business with the American people.

1 (4) When Federal purchasing power is used in
2 such a manner, workers have less to spend on the
3 necessities of life and are forced to rely on public as-
4 sistance. Lack of working purchasing power hurts
5 job creation and undermines economic growth, ulti-
6 mately imposing significant costs on American tax-
7 payers.

8 (5)(A) Federal purchasing power should be
9 used to create good jobs, rebuild the middle class,
10 and curb rising income inequality.

11 (B) Federal purchasing power should be used
12 to create good jobs for America. Good jobs allow
13 workers and their families to live in dignity without
14 relying on public assistance or private charity. Good
15 jobs pay enough to provide for subsistence, health
16 care, education, housing, and savings, as well as
17 enough disposable income to allow workers to enjoy
18 quality time off with their loved ones.

19 (C) Federal purchasing power should be used to
20 rebuild the middle class. A strong middle class stim-
21 ulates the economy by increasing consumer spending
22 and job growth.

23 (D) Federal purchasing power should be used
24 to narrow the growing gulf between the richest one
25 percent of the population and ordinary working fam-

1 ilies that is threatening the survival of participatory
2 democracy.

3 (b) PURPOSES.—The purposes of this Act are the fol-
4 lowing:

5 (1) To use Federal purchasing power to
6 incentivize private-sector firms.

7 (2) To create good jobs for America’s workers.

8 (3) To rebuild America’s middle class.

9 (4) To address America’s crisis of income in-
10 equality.

11 (5) To invigorate the economy by increasing the
12 purchasing power of working Americans.

13 **SEC. 3. GOOD JOBS MODEL EMPLOYER STANDARDS.**

14 For purposes of this Act, a Good Jobs Model Em-
15 ployer is one which meets the following standards:

16 (1) Respects employees’ rights to bargain collec-
17 tively with their employers without being forced to
18 take strike action to win better wages and working
19 conditions.

20 (2) Offers to each employee living wages, decent
21 benefits including health care, paid leave for sickness
22 and caregiving, and fair work schedules that are pre-
23 dictable and stable.

24 (3) Affirmatively demonstrates an exemplary
25 standard of compliance with workplace protection

1 laws, including laws governing labor relations, wages
2 and hours, and health and safety, as well as other
3 applicable labor laws.

4 (4) Limits executive compensation to 50 times
5 the median salary paid to the company's workers.

6 (5) Employs a workforce not less than 35 per-
7 cent of which reside within one or more Historically
8 Underutilized Business Zones.

9 (6) Subcontracts only with other Good Jobs
10 Model Employers.

11 **SEC. 4. APPLICATION TO FEDERAL CONTRACTS AND AS-**
12 **SISTANCE.**

13 (a) ELIGIBILITY FOR AWARD OF PROCUREMENT
14 CONTRACTS.—In the award of a contract for the acquisi-
15 tion of supplies or services, an executive agency may not
16 award the contract to a source that is not a Good Jobs
17 Model Employer, unless there is no offer from a source
18 that is a Good Jobs Model Employer.

19 (b) ELIGIBILITY FOR AWARD OF FINANCIAL AND
20 NONFINANCIAL ASSISTANCE.—An executive agency may
21 not provide other forms of financial or nonfinancial assist-
22 ance to entities that are not model employers when there
23 is a similarly situated Good Jobs Model Employer that
24 could receive the assistance, unless doing so would sub-

1 stantially undermine the value of the assistance to the
2 public good.

3 (c) INCORPORATION INTO FUTURE FEDERAL CON-
4 TRACTS AND ASSISTANCE AGREEMENTS.—Beginning on
5 January 1, 2015, executive agencies shall incorporate into
6 each new contract, contract-like instrument, or assistance
7 agreement a clause requiring the contractor or recipient
8 to conduct itself as a Good Jobs Model Employer for the
9 duration of the contract.

10 (d) EXCLUSIONS.—None of the provisions of this sec-
11 tion shall be interpreted to apply to—

12 (1) direct Federal statutory entitlements;

13 (2) mandatory awards;

14 (3) direct awards to foreign governments or
15 public international organizations;

16 (4) benefits to an individual as a personal enti-
17 tlement; or

18 (5) Federal employment.

19 **SEC. 5. IMPLEMENTATION.**

20 (a) GOOD JOBS MODEL EMPLOYER STANDARDS.—
21 The Secretary of Labor shall promulgate regulations im-
22 plementing the Good Jobs Model Employer Standards of
23 section 3(a) so as to effect the policy and purposes of this
24 Act within 180 days after the date of enactment of this
25 Act. The Secretary of Labor shall amend these regulations

1 as necessary so that they continue to effect the policy and
2 purposes of this Act.

3 (b) PROCUREMENT POLICY.—The Administrator of
4 General Services, the Secretary of Defense, and the Ad-
5 ministrator of the National Aeronautics and Space Admin-
6 istration, in coordination with the Office of Federal Pro-
7 curement Policy, shall amend the Federal Acquisition Reg-
8 ulation within 180 days after the date of enactment of
9 this Act to effect the policy and purposes of this Act, and
10 subsequently as necessary to continue to effect the policy
11 and purposes of this Act.

12 (c) DEBARMENT OR SUSPENSION.—

13 (1) An organization which acquires any form of
14 financial or nonfinancial benefit or a contract from
15 an executive agency through the operation of the
16 procedure described in section 4 shall be placed on
17 the Excluded Parties List enacted by Executive Or-
18 ders 12549 and 12689 for a period of at least 2
19 years if it fails to remain a model employer for the
20 duration of the benefit.

21 (2) An organization which violates a Good Job
22 Model Employer clause in a contract or agreement
23 required by section 4(c) shall be placed on the Ex-
24 cluded Parties List enacted by Executive Orders
25 12549 and 12689 for a period of 3 years.

1 (3) Parties which are suspended multiple times
2 may be debarred permanently.

3 **SEC. 6. SEVERABILITY.**

4 If any provision of this Act, or applying such provi-
5 sion to any person or circumstance, is held to be invalid,
6 the remainder of this Act and the application of the provi-
7 sions of such to any person or circumstance shall not be
8 affected thereby.

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