16

AMENDMENT TO H.R. 5819, AS REPORTED

OFFERED BY MR. Foster

At the end of the bill, add the following (and amend the table of contents accordingly):

SEC. ___. SBIR AWARDEES TO BE MAJORITY OWNED AND CONTROLLED BY INDIVIDUALS WHO ARE CITIZENS OF, OR PERMANENT RESIDENT ALIENS IN, THE UNITED STATES.

Section 9 of the Small Business Act is amended by adding at the end the following:

"(ee) ADDITIONAL REQUIREMENT FOR SBIR AWARDEES.—In addition to any other requirement for eligibility under this section, a concern is eligible to receive an SBIR award only if the concern—

"(1) is a concern that is at least 51 percent owned and controlled by one or more individuals who are citizens of the United States, or permanent resident aliens in the United States;

"(2) is a concern that is at least 51 percent owned and controlled by another business concern that is itself at least 51 percent owned and controlled by individuals who are citizens of, or permanent resident aliens in the United States; or

1 "(3) is a joint venture in which each entity to
2 the venture meets the requirements set forth in ei-
3 ther paragraph (1) or (2).".

4 **SEC. ___. PROHIBITION ON AWARDS TO FIRMS IN VIOLA-**
5 **TION OF IMMIGRATION LAWS.**

6 Any employer found, based on a determination by the
7 Secretary of Homeland Security or the Attorney General
8 to have engaged in a pattern or practice of hiring, recruit-
9 ing or referring for a fee, for employment in the United
10 States an alien knowing the person is an unauthorized
11 alien shall not be eligible for the receipt of future awards
12 under section 9 of the Small Business Act.