March 12, 2013

The Honorable Charles Boustany  
United States House of Representatives  
1431 Longworth House Office Building  
Washington, DC 20515

The Honorable John Barrow  
United State House of Representatives  
2202 Rayburn House Office Building  
Washington, DC 20515

Dear Representatives Boustany and Barrow:

Representing the country’s largest, oldest and most respected small business associations who have spent more than a decade working to improve access to and affordability of private health insurance, we commend you for introducing H.R. 903, the American Job Protection Act. This bill would repeal the employer mandate in the Patient Protection and Affordable Care Act (PPACA) that has already led to reduced hours and stifled job growth.

In the law, the employer mandate penalizes businesses with 50 or more full-time equivalent employees if they do not offer health insurance to full-time employees, or if certain full-time employees receive a tax credit to purchase insurance through the exchange. The requirements to determine employer size and workforce classification this year are already discouraging employers from hiring employees and investing in their businesses. This mandate also establishes a powerful disincentive to hire more than 50 employees. Thus, it punishes both the employer and employees alike. While the employer will struggle with the costs of the penalty, the employees will suffer lower wages and possibly job loss.

Recent proposed regulations promulgated to implement this mandate are further exacerbating the confusion among employers, increasing employer uncertainty as to the various ways to: classify and define employees; calculate the impact of the cumbersome requirement; and minimize the costs associated with compliance. This burden will only increase costs for small business owners. This hurts small business owners, who generate two-thirds of the new jobs each year.

The American Job Protection Act will provide employers desperately needed certainty by repealing the employer mandate. The penalties – although not effective until 2014 – are
already stifling job creation and economic growth and are counter-productive to the goal of expanding access to affordable healthcare for small businesses. Thank you for introducing this important legislation and we look forward to working with you.

Sincerely,

American Bakers Association
American Council of Engineering Companies
American Farm Bureau Federation
American Foundry Society
Associated General Contractors
American Hotel & Lodging Association
American Rental Association
American Supply Association
American Wholesale Marketers Association
Associated Builders and Contractors
Automotive Aftermarket Industry Association
International Franchise Association
International Housewares Association
International Sleep Products Association
National Association of Wholesaler-Distributors
National Club Association
National Council of Chain Restaurants
National Federation of Independent Business
National Retail Federation
National Roofing Contractors Association
National Tooling and Machining Association
National Utility Contractors Association
NPES The Association for Suppliers of Printing, Publishing and Converting Technologies
Petroleum Marketers Association of America
Precision Machined Products Association
Precision Metalforming Association
Printing Industries of America
Professional Golfers Association of America
Small Business & Entrepreneurship Council
Textile Rental Services Association
Turfgrass Producers International
WMDA Service Station & Automotive Repair Association
U.S. Chamber of Commerce
Bill Summary & Status
113th Congress (2013 - 2014)
H.R.903
CRS Summary

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H.R.903
Latest Title: American Job Protection Act
Related Bills: H.R.37, H.R.582
Latest Major Action: 2/28/2013 Referred to House committee. Status: Referred to the House Committee on Ways and Means.

SUMMARY AS OF:
2/28/2013--Introduced.

American Job Protection Act - Amends the Internal Revenue Code to repeal provisions added by the Patient Protection and Affordable Care Act requiring certain employers who have a workforce of 50 or more full-time employees to provide health insurance coverage for their employees.

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COSPONSOIRS(24), ALPHABETICAL [followed by Cosponsors withdrawn]: (Sort: by date)

Rep Benishek, Dan [MI-1] - 3/13/2013
Rep Burgess, Michael C. [TX-26] - 5/14/2013
Rep Rothfus, Keith J. [PA-12] - 3/14/2013