March 12, 2013

The Honorable Orrin Hatch  
United States Senate  
104 Hart Senate Office Building  
Washington, DC 20515

The Honorable Alexander  
United States Senate  
455 Dirksen Senate Office Building  
Washington, DC 20515

Dear Senators Hatch and Alexander:

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 S. 399, 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)  
S.399  
CRS Summary

ABOUT SUMMARIES  
NEW SEARCH | HOME | HELP |

- Back to Bill Summary and Status

S.399  
Latest Title: American Job Protection Act  
Sponsor: Sen Hatch, Orrin G. [UT] (introduced 2/28/2013)  
Cosponsors (28)  
Related Bills: H.R.1558, S.24  
Latest Major Action: 2/28/2013 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

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

American Job Protection Act - Repeals provisions of the Internal Revenue Code, as added by the Patient Protection and Affordable Care Act, that: (1) impose fines on large employers (employers with more than 50 full-time employees) who fail to offer their full-time employees the opportunity to enroll in minimum essential health insurance coverage, and (2) require such large employers to file a report with the Secretary of the Treasury on health insurance coverage provided to their full-time employees. Applies the Internal Revenue Code as if such provisions had never been enacted.
Bill Summary & Status
113th Congress (2013 - 2014)
S.399
Cosponsors

ABOUT COSPONSORS
NEW SEARCH | HOME | HELP |

S.399
Latest Title: American Job Protection Act
Related Bills: H.R.1558, S.24
Latest Major Action: 2/28/2013 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

COSPONSORS (28), ALPHABETICAL [followed by Cosponsors withdrawn]:  (Sort: by date)

<table>
<thead>
<tr>
<th>Name</th>
<th>State</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sen Alexander, Lamar</td>
<td>TN</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Ayotte, Kelly</td>
<td>NH</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Barrasso, John</td>
<td>WY</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Blunt, Roy</td>
<td>MO</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Burr, Richard</td>
<td>NC</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Chambliss, Saxby</td>
<td>GA</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Coats, Daniel</td>
<td>IN</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Coburn, Tom</td>
<td>OK</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Cochran, Thad</td>
<td>MS</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Collins, Susan M.</td>
<td>ME</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Cornyn, John</td>
<td>TX</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Enzi, Michael B.</td>
<td>WY</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Fischer, Deb</td>
<td>NE</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Flake, Jeff</td>
<td>AZ</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Grassley, Chuck</td>
<td>IA</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Hoeven, John</td>
<td>ND</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Inhofe, James M.</td>
<td>OK</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Isakson, Johnny</td>
<td>GA</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Johanns, Mike</td>
<td>NE</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Moran, Jerry</td>
<td>KS</td>
<td>3/5/2013</td>
</tr>
<tr>
<td>Sen Portman, Rob</td>
<td>OH</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Risch, James E.</td>
<td>ID</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Roberts, Pat</td>
<td>KS</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Rubio, Marco</td>
<td>FL</td>
<td>2/28/2013</td>
</tr>
<tr>
<td>Sen Thune, John</td>
<td>SD</td>
<td>2/28/2013</td>
</tr>
</tbody>
</table>