AMENDMENT TO THE RULES COMMITTEE PRINT
117-13
OFFERED BY MR. PHILLIPS OF MINNESOTA

At the end of title XI, add the following new section:

SEC. 11. ENHANCEMENT OF RECUSAL FOR CONFLICTS OF PERSONAL INTEREST REQUIREMENTS FOR DEPARTMENT OF DEFENSE OFFICERS AND EMPLOYEES.

(a) IN GENERAL.—In addition to the prohibition set forth in section 208 of title 18, United States Code, an officer or employee of the Department of Defense may not participate personally and substantially in any covered matter that the officer or employee knows, or reasonably should know, is likely to have a direct and predictable effect on the financial interests of—

(1) any organization, including a trade organization, for which the officer or employee has served as an employee, officer, director, trustee, or general partner in the past 2 years;

(2) a former direct competitor or client of any organization for which the officer or employee has served as an employee, officer, director, trustee, or general partner in the past 2 years; or
(3) any employer with whom the officer or employee is seeking employment.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to terminate, alter, or make inapplicable any other prohibition or limitation in law or regulation on the participation of officers or employees of the Department of Defense in covered matters having an effect on their or related financial or other personal interests.

(c) COVERED MATTER DEFINED.—In this section, the term “covered matter”—

(1) means any matter that involves deliberation, decision, or action that is focused upon the interests of a specific person or a discrete and identifiable class of persons; and

(2) includes policymaking that is narrowly focused on the interests of a discrete and identifiable class of persons.