

AMENDMENT TO RULES COMMITTEE PRINT 116-

19

OFFERED BY MS. SCHAKOWSKY OF ILLINOIS

At the end of subtitle G of title VIII, add the following new section:

1 **SEC. 898. REQUIREMENTS CONCERNING FORMER DEPART-**
2 **MENT OF DEFENSE OFFICIALS AND LOB-**
3 **BYING ACTIVITIES.**

4 (a) REQUIREMENTS.—

5 (1) IN GENERAL.—Chapter 141 of title 10,
6 United States Code, is amended by adding at the
7 end the following new section:

8 **“§ 2410t. Defense contractors report: requirements**
9 **concerning former Department of De-**
10 **fense officials and lobbying activities**

11 “(a) IN GENERAL.—Each contract for the procure-
12 ment of goods or services in excess of \$10,000,000, other
13 than a contract for the procurement of commercial prod-
14 ucts or commercial services, that is entered into by the
15 Secretary of Defense shall include a provision under which
16 the contractor agrees to submit to the Secretary of De-
17 fense, not later than April 1 of each year such contract

1 is in effect, a written report setting forth the information
2 required by subsection (b).

3 “(b) REPORT CONTENTS.—Except as provided in
4 subsection (c), a report by a contractor under subsection
5 (a) shall—

6 “(1) list the name of each person who—

7 “(A) is a former officer or employee of the
8 Department of Defense or a former or retired
9 member of the armed forces who served—

10 “(i) in an Executive Schedule position
11 under subchapter II of chapter 53 of title
12 5;

13 “(ii) in a position in the Senior Exec-
14 utive Service under subchapter VIII of
15 chapter 53 of title 5;

16 “(iii) in a position compensated at a
17 rate of pay for grade O–6 or above under
18 section 201 of title 37; or

19 “(iv) as a program manager, deputy
20 program manager, procuring contracting
21 officer, administrative contracting officer,
22 source selection authority, member of the
23 source selection evaluation board, or chief
24 of a financial or technical evaluation team
25 for such a contract; and

1 “(B) during the preceding calendar year
2 was provided compensation by the contractor, if
3 such compensation was first provided by the
4 contractor not more than four years after such
5 former officer or employee of the Department of
6 Defense, or such former or retired member of
7 the armed forces, left service in the Department
8 of Defense;

9 “(2) in the case of each person listed under
10 paragraph (1)(A)—

11 “(A) identify the department or entity in
12 which such person was employed or served on
13 active duty during the last two years of such
14 person’s service with the Department of De-
15 fense;

16 “(B) state such person’s job title and iden-
17 tify any project on which such person per-
18 formed any work or for which such person pro-
19 vided any goods pursuant to a contract with the
20 Department of Defense during the last two
21 years of such person’s service with the Depart-
22 ment; and

23 “(C) state such person’s current job title
24 with the contractor and identify each project on
25 which such person has performed any work or

1 for which such person provided any goods on
2 behalf of the contractor; and

3 “(3) if the contractor is a client, include—

4 “(A) a statement that—

5 “(i) lists each specific issue for which
6 the contractor, any employee of the con-
7 tractor, or any lobbyist paid by the con-
8 tractor engaged in lobbying activities di-
9 rected at the Department of Defense; and

10 “(ii) specifies the Federal rule or reg-
11 ulation, Executive order, or other program,
12 policy, contract, or position of the Depart-
13 ment of Defense to which the lobbying ac-
14 tivities described in clause (i) related;

15 “(iii) lists each lobbying activity di-
16 rected at the Department of Defense that
17 the contractor, any employee of the con-
18 tractor, or any lobbyist paid by the con-
19 tractor has engaged in on behalf of the
20 contractor, including—

21 “(I) each document prepared by
22 the contractor, any employee of the
23 contractor, or any lobbyist paid by the
24 contractor that was submitted to an

1 officer or employee of the Department
2 of Defense by the lobbyist;

3 “(II) each meeting that was a
4 lobbying contact with an officer or
5 employee of the Department of De-
6 fense, including the subject of the
7 meeting, the date of the meeting, and
8 the name and position of each indi-
9 vidual who attended the meeting;

10 “(III) each phone call made to an
11 officer or employee of the Department
12 of Defense that was a lobbying con-
13 tact, including the subject of the
14 phone call, the date of the phone call,
15 and the name and position of each in-
16 dividual who was on the phone call;
17 and

18 “(IV) each electronic communica-
19 tion sent to an officer or employee of
20 the Department of Defense that was a
21 lobbying contact, including the subject
22 of the electronic communication, the
23 date of the electronic communication,
24 and the name and position of each in-

1 dividual who received the electronic
2 communication;

3 “(iv) lists the name of each employee
4 of the contractor who—

5 “(I) did not participate in a lob-
6 bying contact with an officer or em-
7 ployee of the Department of Defense;
8 and

9 “(II) engaged in lobbying activi-
10 ties in support of a lobbying contact
11 with an officer or employee of the De-
12 partment of Defense; and

13 “(v) describes the lobbying activities
14 referred to in clause (iv)(II); and

15 “(B) a copy of any document transmitted
16 to an officer or employee of the Department of
17 Defense in the course of the lobbying activities
18 described in subparagraph (A)(iv)(II).

19 “(c) DUPLICATE INFORMATION NOT REQUIRED.—
20 An annual report submitted by a contractor pursuant to
21 subsection (b) need not provide information with respect
22 to any former officer or employee of the Department of
23 Defense or former or retired member of the armed forces
24 if such information has already been provided in a pre-

1 vious annual report filed by such contractor under this
2 section.

3 “(d) PUBLIC ACCESS TO REPORTS.—The Secretary
4 of Defense shall make any report described under sub-
5 section (a) publicly available on a website of the Depart-
6 ment of Defense not later than 45 days after the receipt
7 of such report.

8 “(e) DEFINITIONS.—In subsection (b)(3), the terms
9 ‘client’, ‘lobbying activities’, ‘lobbying contact’, and ‘lob-
10 byist’ have the meanings given the terms in section 3 of
11 the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603).”.

12 (2) CLERICAL AMENDMENT.—The table of sec-
13 tions at the beginning of chapter 141 of such title
14 is amended by adding at the end the following new
15 item:

“Sec. 2410t. Defense contractors: requirements concerning former Department
of Defense officials.”.

16 (b) EFFECTIVE DATE.—The amendments made by
17 subsection (a) shall take effect on the date of the enact-
18 ment of this Act, and shall apply with respect to contracts
19 entered into on or after that date.

