

**AMENDMENT TO RULES COMMITTEE PRINT 117-**

**13**

**OFFERED BY MS. SCHAKOWSKY OF ILLINOIS**

Page 674, after line 25, add the following:

1 **SEC. 820A. REQUIREMENTS CONCERNING FORMER DE-**  
2 **PARTMENT OF DEFENSE OFFICIALS AND**  
3 **LOBBYING 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  
18 is in effect, a written report setting forth the information  
19 required by subsection (b).

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

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

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

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

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

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

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

24               “(B) during the preceding calendar year  
25               was provided compensation by the contractor, if

1 such compensation was first provided by the  
2 contractor not more than four years after such  
3 former officer or employee of the Department of  
4 Defense, or such former or retired member of  
5 the armed forces, left service in the Department  
6 of Defense;

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

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

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

21 “(C) state such person’s current job title  
22 with the contractor and identify each project on  
23 which such person has performed any work or  
24 for which such person provided any goods on  
25 behalf of the contractor; and

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

2 “(A) a statement that—

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

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

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

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

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

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

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

1 “(iv) lists the name of each employee  
2 of the contractor who—

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

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

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

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

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

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

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

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

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

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

