

118TH CONGRESS
1ST SESSION

S. _____

To promote ethics and prevent corruption in Department of Defense contracting and other activities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. WARREN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To promote ethics and prevent corruption in Department of Defense contracting and other activities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Department of Defense Ethics and Anti-Corruption Act
6 of 2023”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REVOLVING DOOR AND CONTRACTOR INFLUENCE

- Sec. 101. Heightened revolving door requirements.
- Sec. 102. Requirements for defense contractors relating to certain former Department of Defense officials and lobbying activities.
- Sec. 103. Ban on hiring contracting officials enforceable on certain contracts.
- Sec. 104. Ban on hiring senior officials by giant defense contractors.
- Sec. 105. Modification of prohibition on lobbying activities with respect to the Department of Defense by certain officers of the armed forces and civilian employees of the Department of Defense following separation from military service or employment with the department.
- Sec. 106. Enhancement of recusal for conflicts of personal interest requirements for Department of Defense officers and employees.
- Sec. 107. Prohibition on ownership or trading of stocks in certain companies by department of defense officers and employees.

TITLE II—LIMITING FOREIGN INFLUENCE

- Sec. 201. Ban on senior national security officials advising foreign governments.
- Sec. 202. Ban on former military and civilian intelligence officers from foreign employment.

TITLE III—TRANSPARENCY

- Sec. 301. Affirmative contractor record disclosures.
- Sec. 302. Publication of contractor evaluation ratings.
- Sec. 303. Ownership of information.
- Sec. 304. Financial disclosure by large contractors.
- Sec. 305. Availability on the internet of certain information about officers serving in general or flag officer grades.

1 **TITLE I—REVOLVING DOOR AND** 2 **CONTRACTOR INFLUENCE**

3 **SEC. 101. HEIGHTENED REVOLVING DOOR REQUIREMENTS.**

4 Section 847 of the National Defense Authorization
5 Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C.
6 1701 note) is amended—

7 (1) in subsection (a)(1), by striking “within two
8 years of leaving service” and inserting “within four
9 years of leaving service”; and

10 (2) in subsection (b)—

1 (A) by striking “REQUIREMENT.—Each re-
2 quest” and inserting the following: “REQUIRE-
3 MENT.—

4 “(1) DATABASE.—Each request”;

5 (B) by striking “retained by the Depart-
6 ment of Defense in a central database or repos-
7 itory maintained by the General Counsel of the
8 Department for not less than five years” and
9 inserting “retained by the Department of De-
10 fense in a central database or repository main-
11 tained by the Standards of Conduct Office of
12 the Department for not less than 10 years”;
13 and

14 (C) by inserting “and shall be posted on a
15 publicly available internet website of the Gen-
16 eral Counsel Standards of Conduct Office”
17 after “opinion was provided”; and

18 (D) by inserting after paragraph (1) the
19 following new paragraph:

20 “(2) INSPECTOR GENERAL REVIEW.—The In-
21 spector General of the Department of Defense shall
22 conduct periodic reviews not less than biannually to
23 ensure that written opinions are being requested,
24 provided, and retained in accordance with the re-

1 “(b) REPORT INFORMATION.—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 a contract with a value in excess of
24 \$10,000,000; 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 officer, employee, or member left service in the
6 Department of Defense;

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

9 “(A) identify the agency in which such per-
10 son was employed or served on active duty dur-
11 ing the last two years of such person’s service
12 with the Department of Defense;

13 “(B) state such person’s job title and iden-
14 tify each major defense system, contract, modi-
15 fication, subcontract, task order, and delivery
16 order in excess of \$10,000,000, if any, on which
17 such person performed any work with the De-
18 partment of Defense during the last two years
19 of such person’s service with the Department;
20 and

21 “(C) state such person’s current job title
22 with the contractor and identify each major de-
23 fense system, contract, modification, sub-
24 contract, task order, and delivery order in ex-
25 cess of \$10,000,000, on which such person has

1 performed any work on behalf of the contractor;

2 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 with
9 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 relat-
16 ing to the Department of Defense that the
17 contractor, any employee of the contractor,
18 or any lobbyist paid by the contractor has
19 engaged in on behalf of the contractor, in-
20 cluding—

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 (including emails, text messages,
20 and other forms of electronic commu-
21 nication) sent to an officer or em-
22 ployee of the Department of Defense
23 that was a lobbying contact, including
24 the subject of the electronic commu-
25 nication, the date of the electronic

1 communication, and the name and po-
2 sition of each individual who received
3 the electronic communication;

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

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

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

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

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

20 “(c) DEFINITIONS.—In subsection (b)(3), the terms
21 ‘client’, ‘lobbying activities’, ‘lobbying contact’, and ‘lob-
22 byist’ have the meanings given the terms in section 3 of
23 the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602).”.

24 (2) CLERICAL AMENDMENT.—The table of sec-
25 tions at the beginning of chapter 141 of such title

1 is amended by adding at the end the following new
2 item:

“Sec. 2410t. Defense contractors report: requirements concerning former Department of Defense officials and lobbying activities.”.

3 (3) EFFECTIVE DATE.—The amendments made
4 by paragraphs (1) and (2) shall take effect on the
5 date of the enactment of this Act, and shall apply
6 with respect to contracts entered into on or after
7 that date.

8 (b) FUTURE TRANSFER.—

9 (1) TRANSFER AND REDESIGNATION.—Section
10 2410t of title 10, United States Code, as added by
11 subsection (a), is transferred to chapter 363, as
12 added by section 1862(b) of the William M. (Mac)
13 Thornberry National Defense Authorization Act for
14 Fiscal Year 2021 (Public Law 116–283), and rededesignated as section 4661.

16 (2) CLERICAL AMENDMENTS.—

17 (A) TARGET CHAPTER TABLE OF SECTIONS.—The table of sections at the beginning
18 of chapter 363 of title 10, United States Code,
19 as added by section 1862(b) of the William M.
20 (Mac) Thornberry National Defense Authorization
21 Act for Fiscal Year 2021 (Public Law
22 116–283), is amended by inserting after the
23 item relating to section 4660 the following:
24

“Sec. 4661. Defense contractors report: requirements concerning former Department of Defense officials and lobbying activities.”.

1 (B) ORIGIN CHAPTER TABLE OF SEC-
2 TIONS.—The table of sections at the beginning
3 of chapter 141 of title 10, United States Code,
4 is amended by striking the item relating to sec-
5 tion 2410t.

6 (3) EFFECTIVE DATE.—The amendments made
7 by this subsection shall take effect on January 1,
8 2024.

9 (4) REFERENCES; SAVINGS PROVISIONS; RULE
10 OF CONSTRUCTION.—Sections 1883 through 1885 of
11 the William M. (Mac) Thornberry National Defense
12 Authorization Act for Fiscal Year 2021 (Public Law
13 116–283) shall apply with respect to the amend-
14 ments made under this subsection as if such amend-
15 ments were made under title XVIII of such Act.

16 **SEC. 103. BAN ON HIRING CONTRACTING OFFICIALS EN-**
17 **FORCEABLE ON CERTAIN CONTRACTS.**

18 (a) PROHIBITION.—

19 (1) IN GENERAL.—Any contract for the pro-
20 curement of goods or services, other than a contract
21 for the procurement of commercial products or serv-
22 ices, with a value of excess of \$10,000,000 shall in-
23 clude a contract clause prohibiting the contractor
24 from providing compensation to a former Depart-

1 ment of Defense official described in paragraph (2)
2 within four years after such former official leaves
3 service in the Department of Defense.

4 (2) COVERED DEPARTMENT OF DEFENSE OFFI-
5 CIAL.—An official or former official of the Depart-
6 ment of Defense is covered by the requirements of
7 this section if such official or former official is a
8 former officer or employee of the Department of De-
9 fense or a former or retired member of the Armed
10 Forces who served as a program manager, deputy
11 program manager, procuring contracting officer, ad-
12 ministrative contracting officer, source selection au-
13 thority, member of the source selection evaluation
14 board, or chief of a financial or technical evaluation
15 team or directly managed someone in these roles for
16 a contract with a value in excess of \$10,000,000,
17 and such person—

18 (A) participated in the contract or license
19 selection;

20 (B) determined or signed off on the tech-
21 nical requirements of the contract or license; or

22 (C) granted the contract or license.

23 (b) ADMINISTRATIVE ACTIONS.—In the event that an
24 official or former official of the Department of Defense
25 described in subsection (a)(2), or a Department of De-

1 fense contractor, knowingly fails to comply with the re-
2 quirements of this subsection, the Secretary of Defense
3 may take any of the administrative actions set forth in
4 section 2105 of title 41, United States Code, that the Sec-
5 retary of Defense determines to be appropriate.

6 (c) DEFINITIONS.—In this section:

7 (1) COMMERCIAL PRODUCT.—The term “com-
8 mercial product” means any of the following:

9 (A) A product, other than real property,
10 that—

11 (i) is customarily used by the general
12 public or by nongovernmental entities for
13 purposes other than governmental pur-
14 poses; and

15 (ii) has been sold, leased, or licensed
16 to the general public.

17 (B) A product that—

18 (i) evolved from a product described
19 in subparagraph (A) through advances in
20 technology or performance; and

21 (ii) is not yet available in the commer-
22 cial marketplace but will be available in the
23 commercial marketplace in time to satisfy
24 the delivery requirements under a Federal
25 Government solicitation.

1 (C) A product that would satisfy the cri-
2 teria in subparagraph (A) or (B) were it not
3 for—

4 (i) modifications customarily available
5 in the commercial marketplace; or

6 (ii) minor modifications made to meet
7 Federal Government requirements.

8 (D) Any combination of products meeting
9 the requirements of subparagraph (A), (B), or
10 (C) that are customarily combined and sold in
11 combination to the general public.

12 (E) A product, or combination of products,
13 referred to in subparagraphs (A) through (D),
14 even though the product, or combination of
15 products, is transferred between or among sepa-
16 rate divisions, subsidiaries, or affiliates of a
17 contractor.

18 (F) A nondevelopmental item if the pro-
19 curing agency determines, in accordance with
20 conditions in the Federal Acquisition Regula-
21 tion, that—

22 (i) the product was developed exclu-
23 sively at private expense; and

24 (ii) has been sold in substantial quan-
25 tities, on a competitive basis, to multiple

1 State and local governments or to multiple
2 foreign governments.

3 (2) COMMERCIAL SERVICE.—The term “com-
4 mercial service” means any of the following:

5 (A) Installation services, maintenance serv-
6 ices, repair services, training services, and other
7 services if—

8 (i) those services are procured for
9 support of a commercial product, regard-
10 less of whether the services are provided by
11 the same source or at the same time as the
12 commercial product; and

13 (ii) the source of the services provides
14 similar services contemporaneously to the
15 general public under terms and conditions
16 similar to those offered to the Federal
17 Government;

18 (B) Services of a type sold competitively,
19 in substantial quantities, in the commercial
20 marketplace—

21 (i) based on established catalog or
22 market prices;

23 (ii) for specific tasks performed or
24 specific outcomes to be achieved; and

1 (iii) under standard commercial terms
2 and conditions.

3 (C) A service described in subparagraph
4 (A) or (B), even though the service is trans-
5 ferred between or among separate divisions,
6 subsidiaries, or affiliates of a contractor.

7 **SEC. 104. BAN ON HIRING SENIOR OFFICIALS BY GIANT DE-**
8 **FENSE CONTRACTORS.**

9 (a) PROHIBITION.—

10 (1) IN GENERAL.—Any Department of Defense
11 contract for the procurement of goods or services
12 with a giant defense contractor shall include a con-
13 tract clause prohibiting the contractor from hiring or
14 paying (including as a consultant, lobbyist, or law-
15 yer) any covered Department of Defense official
16 within four years after such former official leaves
17 service in the Department of Defense.

18 (2) DEFINITIONS.—In this section:

19 (A) COVERED DEPARTMENT OF DEFENSE
20 OFFICIAL.—The term “covered Department of
21 Defense official” means a former officer or em-
22 ployee of the Department of Defense or a
23 former or retired member of the Armed Forces
24 who served—

1 (i) in an Executive Schedule position
2 under subchapter II of chapter 53 of title
3 5, United States Code;

4 (ii) in a position in the Senior Execu-
5 tive Service under subchapter VIII of
6 chapter 53 of title 5, United States Code;

7 (iii) in position compensated at a rate
8 of pay for grade O-6 or above under sec-
9 tion 201 of title 37, United States Code; or

10 (iv) in a supervisory position com-
11 pensated at a rate of pay for grade GS-15
12 of the General Schedule under section
13 5107 of title 5, United States Code, or
14 higher.

15 (B) GIANT DEFENSE CONTRACTOR.—The
16 term “giant defense contractor” means a con-
17 tractor (other than an institution of higher edu-
18 cation) that received an average of more than
19 \$1,000,000,000 in annual revenue from the De-
20 partment of Defense or the Department of En-
21 ergy for contracted work related to the United
22 States nuclear program in the previous three
23 fiscal years.

24 (b) ADMINISTRATIVE ACTIONS.—In the event that a
25 covered Department of Defense official, or a Department

1 of Defense contractor, knowingly fails to comply with the
2 requirements of this section, the Secretary of Defense may
3 take any of the administrative actions set forth in section
4 2105 of title 41, United States Code that the Secretary
5 of Defense determines to be appropriate.

6 (c) ANNUAL REPORT.—The Inspector General of the
7 Department of Defense shall submit to the Committee on
8 Armed Services of the Senate and the Committee on
9 Armed Services of the House of Representatives an annual
10 report listing the officials or former officials of the Depart-
11 ment of Defense described in subsection (a)(2)(A), or any
12 Department of Defense contractor, subject to any of the
13 administrative actions from the Secretary of Defense
14 under the requirements of subsection (b) during the prior
15 calendar year.

1 **SEC. 105. MODIFICATION OF PROHIBITION ON LOBBYING**
2 **ACTIVITIES WITH RESPECT TO THE DEPART-**
3 **MENT OF DEFENSE BY CERTAIN OFFICERS**
4 **OF THE ARMED FORCES AND CIVILIAN EM-**
5 **PLOYEES OF THE DEPARTMENT OF DEFENSE**
6 **FOLLOWING SEPARATION FROM MILITARY**
7 **SERVICE OR EMPLOYMENT WITH THE DE-**
8 **PARTMENT.**

9 Section 1045 of the National Defense Authorization
10 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
11 1555) is amended—

12 (1) in subsection (a)—

13 (A) in the subsection heading, by striking
14 “TWO-YEAR PROHIBITION” and inserting
15 “FOUR-YEAR PROHIBITION”;

16 (B) in paragraph (1), by striking “during
17 the two-year period” and inserting “during the
18 four-year period”; and

19 (C) in paragraph (2)(A), by striking
20 “grade O–9 or higher” and inserting “grade O–
21 6 or higher”;

22 (2) by striking subsection (b);

23 (3) by redesignating subsection (c) as sub-
24 section (b); and

25 (4) in subsection (b)(1)(A), as redesignated by
26 paragraph (3), by inserting “, including activities in

1 support of lobbying contact with an officer or em-
2 ployee of the Department of Defense” before the pe-
3 riod at the end.

4 **SEC. 106. ENHANCEMENT OF RECUSAL FOR CONFLICTS OF**
5 **PERSONAL INTEREST REQUIREMENTS FOR**
6 **DEPARTMENT OF DEFENSE OFFICERS AND**
7 **EMPLOYEES.**

8 Section 1117 of the National Defense Authorization
9 Act for fiscal year 2022 Public Law 117–81; 10 U.S.C.
10 971 note prec.) is amended—

11 (1) in subsection (a)—

12 (A) by striking “particular matter” and in-
13 sserting “covered matter”;

14 (B) by striking “where the following orga-
15 nizations is a party or represents a party to the
16 matter:” and inserting “where the following or-
17 ganizations or entities is a party or represents
18 a party to the matter, or where the officer or
19 employee knows, or reasonably should know, the
20 matter is likely to have a direct and predictable
21 effect on the financial interests of any of the
22 following organizations or entities:”;

23 (C) in paragraph (1), by striking “2
24 years” and inserting “4 years”; and

1 (D) by inserting after paragraph (2) the
2 following new paragraph:

3 “(3) A former direct competitor or client of any
4 organization for which the officer or employee has
5 served as an employee, officer, director, trustee, or
6 general partner in the past 4 years.”; and

7 (2) by redesignating subsection (c) as sub-
8 section (d); and

9 (3) by inserting after subsection (b) the fol-
10 lowing new subsection:

11 “(c) COVERED MATTER DEFINED.—In this section,
12 the term ‘covered matter’—

13 “(1) means any matter that involves delibera-
14 tion, decision, or action that is focused upon the in-
15 terests of specific person or a discrete and identifi-
16 able class of persons; and

17 “(2) includes policy making that is narrowly fo-
18 cused on the interests of a discrete and identifiable
19 class of persons.”.

20 **SEC. 107. PROHIBITION ON OWNERSHIP OR TRADING OF**
21 **STOCKS IN CERTAIN COMPANIES BY DEPART-**
22 **MENT OF DEFENSE OFFICERS AND EMPLOY-**
23 **EES.**

24 (a) PROHIBITION ON OWNERSHIP AND TRADING
25 PUBLICLY TRADED STOCKS.—Section 988(a) of title 10,

1 United States Code, is amended by striking “if that com-
2 pany is one of the 10 entities awarded the most amount
3 of contract funds by the Department of Defense in a fiscal
4 year during the five preceding fiscal years” and inserting
5 “if, during the preceding calendar year, the company re-
6 ceived more than \$100,000,000 in revenue from the De-
7 partment of Defense, including through 1 or more con-
8 tracts with the Department”.

9 (b) DEFINITION OF COVERED OFFICIAL.—Section
10 988 of title 10, United States Code, is amended—

11 (1) by redesignating subsection (c) as sub-
12 section (d);

13 (2) in paragraph (1) of subsection (d), as redesi-
14 gnated by paragraph (1) of this section, by striking
15 “means any” and all that follows through the period
16 at the end of subparagraph (B) and inserting
17 “means any official described in section 847(c) of
18 the National Defense Authorization Act for Fiscal
19 Year 2008 (10 U.S.C. 1701 note).”.

20 (c) PENALTY.—Section 988 of title 10, United States
21 Code, as amended by subsection (b), is further amended
22 by inserting after subsection (b) the following new sub-
23 section:

1 “(c) PENALTIES.—Whoever violates subsection (a)
2 shall be subject to the penalties set forth in section 216
3 of title 18, United States Code.”.

4 **TITLE II—LIMITING FOREIGN**
5 **INFLUENCE**

6 **SEC. 201. BAN ON SENIOR NATIONAL SECURITY OFFICIALS**
7 **ADVISING FOREIGN GOVERNMENTS.**

8 Section 207(f) of title 18, United States Code, is
9 amended—

10 (1) by redesignating paragraph (3) as para-
11 graph (4); and

12 (2) by inserting after paragraph (2) the fol-
13 lowing new paragraph:

14 “(3) PERMANENT RESTRICTION.—Any person
15 who has been employed as a senior official in the
16 White House, the Department of State, the Depart-
17 ment of Defense, or the Department of the Treasury
18 who performs compensated work for the benefit of a
19 foreign entity that stands to benefit from the knowl-
20 edge obtained by the person as a result of such
21 United States Government employment, shall be
22 punished as provided in section 216 of this title.”.

1 **SEC. 202. BAN ON FORMER MILITARY AND CIVILIAN INTEL-**
2 **LIGENCE OFFICERS FROM FOREIGN EMPLOY-**
3 **MENT.**

4 All military and civilian intelligence personnel em-
5 ployed by a military intelligence organization possessing
6 a security clearance, upon separation from service or res-
7 ignation, are prohibited from obtaining employment with
8 a foreign government or a private company doing work
9 predominantly on behalf of a foreign government. Any in-
10 telligence personnel who performs compensated work for
11 the benefit of a foreign entity that stands to benefit from
12 the knowledge obtained by the person as a result of such
13 United States Government employment, shall be punished
14 as provided in section 216 of title 18, United States Code.

15 **TITLE III—TRANSPARENCY**

16 **SEC. 301. AFFIRMATIVE CONTRACTOR RECORD DISCLO-**
17 **SURES.**

18 The Secretary of Defense shall publish on a publicly
19 available internet website the following information to the
20 extent such information is unclassified and non-confiden-
21 tial:

22 (1) In the case of a contract with the Depart-
23 ment of Defense for goods or services above the sim-
24 plified acquisition threshold specified in section 134
25 of title 41, United States Code, copies of all con-
26 tracts, subcontracts, purchase orders, delivery or-

1 a nongovernmental entity for the purposes of procuring
2 goods or services shall—

3 (1) for the purposes of paragraph (3), be
4 deemed to have control over all information of the
5 entity related to—

6 (A) any costs or the expenditure of any
7 funds related to the contract or agreement; and

8 (B) any other information related to the
9 performance of the contract or agreement;

10 (2) provide access to the information described
11 in paragraph (1), which shall be considered an
12 “agency record”, to any person upon request made
13 pursuant to paragraph (3); and

14 (3) include compliance with this subsection as a
15 material term in any contract, agreement, or renewal
16 of a contract or agreement with any nongovern-
17 mental entity for the purposes of procuring goods or
18 services.

19 **SEC. 304. FINANCIAL DISCLOSURE BY LARGE CONTRAC-**
20 **TORS.**

21 (a) **DISCLOSURE REQUIREMENT.—**

22 (1) **IN GENERAL.—**The Secretary of Defense
23 shall require a covered contractor, as a condition for
24 entering into a contract with the Department of De-
25 fense, to make publicly available on an annual basis

1 the following information (excluding information de-
2 termined to be classified by the Secretary):

3 (A) Audited financial statements.

4 (B) A listing of the salaries of employees
5 performing work on the contract that receive
6 compensation from the contractor in excess of
7 \$250,000 per year.

8 (C) A description of all Federal political
9 spending, including lobbying, by the contractor.

10 (2) SUSPENSION AND DEBARMENT.—The Sec-
11 retary of Defense may suspend or debar any covered
12 contractor that fails to comply with the disclosure
13 requirements under paragraph (1).

14 (3) COVERED CONTRACTOR DEFINED.—The
15 term “covered contractor” means a contractor (other
16 than an institute of higher education) that—

17 (A) received more than \$10,000,000 in an-
18 nual revenue from Federal Government con-
19 tracts or licenses in any of the previous three
20 fiscal years; or

21 (B) earned more than 20 percent of its
22 total annual revenue from Federal Government
23 contracts or licenses in any of the previous
24 three fiscal years.

1 **SEC. 305. AVAILABILITY ON THE INTERNET OF CERTAIN IN-**
2 **FORMATION ABOUT OFFICERS SERVING IN**
3 **GENERAL OR FLAG OFFICER GRADES.**

4 (a) AVAILABILITY REQUIRED.—The Secretary of
5 each military department shall make available on a pub-
6 licly available internet website of such department the in-
7 formation specified in subsection (b) related to each officer
8 in a general or flag officer grade under the jurisdiction
9 of such Secretary, including any such officer on the re-
10 serve active-status list.

11 (b) INFORMATION.—The information on an officer
12 referred to in subsection (a) is as follows:

13 (1) The officer's name.

14 (2) The officer's current billet.

15 (3) A biographical summary of the officer.

16 (4) Any financial disclosures made by the offi-
17 cer to or for Department of Defense purposes.

18 (5) Any substantiated reports of an Inspector
19 General in the Department of Defense involving con-
20 duct of the officer.

21 (6) Summaries of any command climate survey
22 conducted with respect to a command of the officer.

23 (c) REDACTION.—Information made available pursu-
24 ant to subsection (a) may be redacted in a manner that
25 accords with the provisions of section 552a of title 5,

1 United States Code (commonly referred to as the “Privacy
2 Act”).