(d) Definitions.—Subsection (e) of such section is amended—
(1) in paragraph (4), by inserting “or a grant” after “a contract”; and
(2) by inserting before the period at the end the following:
“and any Inspector General that receives funding from, or has
oversight over contracts awarded for or on behalf of, the Sec-
retary of Defense”.

SEC. 847. REQUIREMENTS FOR SENIOR DEPARTMENT OF DEFENSE
OFFICIALS SEEKING EMPLOYMENT WITH DEFENSE CON-
TRACTORS.

(a) Requirement to Seek and Obtain Written Opinion.—
(1) Request.—An official or former official of the Depart-
ment of Defense described in subsection (c) who, within two
years after leaving service in the Department of Defense,
expects to receive compensation from a Department of Defense
contractor, shall, prior to accepting such compensation, request
a written opinion regarding the applicability of post-employ-
ment restrictions to activities that the official or former official
may undertake on behalf of a contractor.

(2) Submission of Request.—A request for a written
opinion under paragraph (1) shall be submitted in writing
to an ethics official of the Department of Defense having respon-
sibility for the organization in which the official or former
official serves or served and shall set forth all information
relevant to the request, including information relating to
government positions held and major duties in those positions,
actions taken concerning future employment, positions sought,
and future job descriptions, if applicable.

(3) Written Opinion.—Not later than 30 days after
receiving a request by an official or former official of the Depart-
ment of Defense described in subsection (c), the appropriate
ethics counselor shall provide such official or former official
a written opinion regarding the applicability or inapplicability
of post-employment restrictions to activities that the official
or former official may undertake on behalf of a contractor.

(4) Contractor Requirement.—A Department of Defense
contractor may not knowingly provide compensation to a former
Department of Defense official described in subsection (c) within
two years after such former official leaves service in the Depart-
ment of Defense, without first determining that the former
official has sought and received (or has not received after 30
days of seeking) a written opinion from the appropriate ethics
counselor regarding the applicability of post-employment
restrictions to the activities that the former official is expected
to undertake on behalf of the contractor.

(5) Administrative Actions.—In the event that an official
or former official of the Department of Defense described in
subsection (c), or a Department of Defense contractor, know-
ingly fails to comply with the requirements of this subsection,
the Secretary of Defense may take any of the administrative
actions set forth in section 27(e) of the Office of Federal Procure-
ment Policy Act (41 U.S.C. 423(e)) that the Secretary of Defense
determines to be appropriate.

(b) Recordkeeping Requirement.—
(1) DATABASE.—Each request for a written opinion made pursuant to this section, and each written opinion provided pursuant to such a request, shall be retained by the Department of Defense in a central database or repository for not less than five years beginning on the date on which the written opinion was provided.

(2) INSPECTOR GENERAL REVIEW.—The Inspector General of the Department of Defense shall conduct periodic reviews to ensure that written opinions are being provided and retained in accordance with the requirements of this section. The first such review shall be conducted no later than two years after the date of the enactment of this Act.

(c) COVERED DEPARTMENT OF DEFENSE OFFICIALS.—An official or former official of the Department of Defense is covered by the requirements of this section if such official or former official—

(1) participated personally and substantially in an acquisition as defined in section 4(16) of the Office of Federal Procurement Policy Act with a value in excess of $10,000,000 and serves or served—

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

(B) in a position in the Senior Executive Service under subchapter VIII of chapter 53 of title 5, United States Code; or

(C) in a general or flag officer position compensated at a rate of pay for grade O–7 or above under section 201 of title 37, United States Code;

(2) serves or served as a program manager, deputy program manager, procuring contracting officer, administrative contracting officer, source selection authority, member of the source selection evaluation board, or chief of a financial or technical evaluation team for a contract in an amount in excess of $10,000,000.

(d) DEFINITION.—In this section, the term “post-employment restrictions” includes—

(1) section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423);

(2) section 207 of title 18, United States Code; and

(3) any other statute or regulation restricting the employment or activities of individuals who leave government service in the Department of Defense.

SEC. 848. REPORT ON CONTRACTOR ETHICS PROGRAMS OF MAJOR DEFENSE CONTRACTORS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the internal ethics programs of major defense contractors.

(b) ELEMENTS.—The report required by subsection (a) shall address, at a minimum—

(1) the extent to which major defense contractors have internal ethics programs in place;

(2) the extent to which the ethics programs described in paragraph (1) include—