

about giving local contractors the opportunity. The offer I made to my colleagues on the right, my Republican colleagues, is put this amendment forward so that we have the opportunity in this legislation to work our way through this. We all understand there is a problem. We all want our local contractors, whatever that means, to have an opportunity at these jobs.

There is a problem. The large national contractors are taking it all. They are coming into our communities and walking away with all of it. That's a problem for all of us who represent any military facility in this Nation. So let's move forward with this, put this amendment in, and then we will work it out. Maybe mileage isn't the best way. Local, maybe that needs to be defined. Forty percent, 39 percent, we can pick a number, or maybe no number at all. But we do know there is a problem, and we ought to be addressing it in this legislation this year. I would ask for your support. If you care about small businesses, then don't wait another year to solve the problem.

I ask for an "aye" vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. MCKEON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THORNBERRY) having assumed the chair, Mr. MCCLINTOCK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER CONSIDERATION OF AMENDMENT NO. 26 TO H.R. 1540

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1540 pursuant to House Resolution 276, amendment No. 26 printed in House Report 112-88 may be considered out of sequence.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

The SPEAKER pro tempore. Pursuant to House Resolution 112-88 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1540.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes, with Mr. MCCLINTOCK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 28 printed in House Report 112-88 by the gentleman from California (Mr. GARAMENDI) had been postponed.

AMENDMENT NO. 26 OFFERED BY MRS. MALONEY

The Acting CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 26 printed in House Report 112-88.

Mrs. MALONEY. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 845. PUBLIC DISCLOSURE OF SENIOR DEPARTMENT OF DEFENSE OFFICIALS EMPLOYED WITH DEFENSE CONTRACTORS.

(a) AMENDMENT.—Section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 243; 10 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

“(e) PUBLIC AVAILABILITY.—Not later than 30 days after the provision of the written opinion under subsection (a)(3), the Secretary of Defense shall publish on a publicly available website the information submitted under this section, including the names of each official or former official described in subsection (a)(1) and the contractor from whom such official or former official expects to receive compensation.”

(b) PREVIOUSLY SUBMITTED INFORMATION.—With respect to the publication of information required by subsection (e) of section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 243; 10 U.S.C. 1701 note), as added by subsection (a), for information that was submitted before the date of the enactment of this Act, the Secretary of Defense shall publish such information on a publicly available website not later than 30 days after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 276, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MALONEY. Mr. Chairman, this amendment would require public disclosure of information submitted under section 847 of this act.

This amendment is about bringing more accountability and sunshine to the \$379 billion average annual defense contracting business by making a revolving door database, which already exists, publicly available. It would allow the public access to important ethics information about some DOD employees who leave to go through the revolving door to jobs in the defense contracting industry, often with companies with whom they have been negotiating billions of dollars in contracts.

Current and former public servants should not be able to use their positions for private gain, and powerful defense contractors should not be able to rig the system.

But, unfortunately, this relationship is not uncommon. One way contractors gain influence in the government is to hire away civil servants and political appointees with access to inside people and information from their government positions. In some cases, highly skilled and well-connected former senior government officials enter the private sector as executives or officers or lobbyists or on the boards of directors of government contractors, a practice known as the revolving door.

It is also widely acknowledged that there are inherent conflicts of interest in the revolving door, potential ethical problems that can lead to the wasteful spending of taxpayers' dollars and worse.

For this reason, DOD currently collects ethics opinions on certain acquisition employees who go to work for contractors within 2 years of leaving DOD. This amendment would simply require this database to be publicly available online.

This amendment would not add any requirements or change the current post-employment restrictions. The law already requires DOD employees who hold a key acquisition position to obtain a written ethics opinion from a DOD ethics counselor before taking a job with a contractor in the 2 years after leaving DOD.

The National Defense Authorization Act for fiscal year 2008 mandated that covered DOD acquisition officials, that would be certain executive schedule, Senior Executive Service, and general or flag officer positions, must obtain a post-employment ethics opinion before accepting a paid position from a DOD contractor within 2 years after they leave DOD service. It also requires that DOD contractors ensure that new hires have an ethics opinion.

The law also requires that 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 for not less than 5 years beginning on the date in which the written opinion was provided.