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99TH CONGRESS  
1ST SESSION

# H. R. 1201

Entitled: "The Revolving Door Reform Act of 1985".

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 1985

Mrs. BOXER (for herself, Mr. LEVINE of California, Mr. PORTER, Mr. MITCHELL, Mr. BEDELL, Mr. OWENS, Mr. BERMAN, and Mr. CROCKETT) introduced the following bill; which was referred to the Committee on Government Operations

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## A BILL

Entitled: "The Revolving Door Reform Act of 1985".

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That (a)(1) the head of an agency making a contract for pro-  
4 curement of goods or services for the United States shall re-  
5 quire that the contract include provisions under which the  
6 contractor agrees not to employ, during the period described  
7 in paragraph (2), a former officer or employee of the Govern-  
8 ment or a former or retired member of the uniformed services  
9 who, during the five years preceding the individual's separa-

*unclassified*  
*in...*

1 tion from Government service, had significant responsibilities  
2 for a Government procurement function with respect to a  
3 contract with that contractor.

4 (2) The period referred to in paragraph (1) is the period  
5 ending five years after the end of the contract or the five-year  
6 period beginning on the date of the individual's separation  
7 from Government service, whichever ends first.

8 (b) A contractor who violates a contract provision re-  
9 quired by subsection (a) shall forfeit to the United States, as  
10 liquidated damages under the contract, an amount equal to  
11 the product of—

12 (1) the rate of compensation (stated on an annual  
13 basis) of the individual employed by the contractor in  
14 violation of such contract provision; and

15 (2) the number of days the individual is employed  
16 by the contractor.

17 (c)(1) Each contractor subject to a contract term de-  
18 scribed in subsection (a) shall issue an annual report listing  
19 the name of each individual (together with other information  
20 adequate for the Government to identify the individual) who  
21 is a former Government officer or employee, or a former or  
22 retired member of the uniformed services, who was hired by  
23 that contractor within the previous five years. Such listing  
24 shall show the agency by which the individual was last em-  
25 ployed or on active duty, the individual's job title, and a sum-

1 mary of the individual's job responsibilities. A copy of each  
2 such report shall be sent to each agency named in the report.

3 (2) The inspector general of each agency which receives  
4 a report under paragraph (1) shall review the report for the  
5 purpose of identifying any violation of subsection (a) indicated  
6 in the report and to assess the report for accuracy and com-  
7 pleteness. In the case of an agency that does not have an  
8 inspector general, the Comptroller General of the United  
9 States shall review the reports.

10 (3) The Director of the Office of Government Ethics  
11 shall have access to the reports and shall conduct an annual  
12 random survey of the reports to check for violations of sub-  
13 section (a). The Director shall submit an annual report to  
14 Congress on the operation of this section, including the find-  
15 ings of the Director under such reports.

16 (d) This Act does not apply to a contract for an amount  
17 less than \$25,000.

18 (e) For the purposes of this section:

19 (1) The term "employ" includes any payment, re-  
20 imbursement, or other compensation (whether provided  
21 directly or indirectly or through a third party) in return  
22 for services.

23 (2) The term "Government procurement func-  
24 tion", with respect to a contract, means any function  
25 relating to negotiating, awarding, administering, ap-

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1 proving contract changes, cost analysis, quality assur-  
2 ance, operation and developmental testing, approval of  
3 payment, contractor selection, or auditing under the  
4 contract.

5 (3) The term "contractor" includes any parent,  
6 subsidiary, or affiliate of a contractor.

7 (4) A member or former member of the uniformed  
8 services shall be considered to have been separated  
9 from Government service upon such member's dis-  
10 charge or release from active duty.

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