

September 17, 2021

The Honorable James P. McGovern
Chairman
House Rules Committee
H-312 The Capitol
Washington, DC 20515

The Honorable Tom Cole
Ranking Member
House Rules Committee
H-152 The Capitol
Washington, DC 20515

Dear Chairman McGovern and Ranking Member Cole:

As you prepare to consider H.R. 4350, the National Defense Authorization Act for Fiscal Year 2022 (NDAA), the undersigned organizations and individuals from across the ideological spectrum urge you to make in order amendments to strengthen post-employment restrictions on and enhance transparency of lobbying by former Department of Defense (DOD) personnel. Existing restraints on lobbying by former DOD officials are woefully inadequate and undermine efforts to prevent undue influence on the national security policies of the United States. Amendments to further limit the revolving door will enhance integrity in the operations of the Department of Defense. We urge you to make these germane amendments in order:

- Amendment #91 – Representatives Jackie Speier (D-CA), Brian Fitzpatrick (R-PA), Jan Schakowsky (D-IL), Katie Porter (D-CA), and Dean Phillips (D-MN): An amendment to implement the Government Accountability Office’s recommendation to require the Department of Defense to codify current post-government employment restrictions in its acquisition law.
- Amendment #108 – Representatives Jackie Speier (D-CA) and John Sarbanes (D-MD): An amendment to extend the duration of post-employment restrictions on lobbying and representational activities from one year to two.
- Amendment #638 – Representatives Dean Phillips (D-MN), Tom Malinowski (D-NJ), and Jan Schakowsky (D-IL): An amendment to extend the recusal period from one to four years for industry officials entering public service at the Department of Defense.
- Amendment #722 – Representatives Jan Schakowsky (D-IL) and Dean Phillips (D-MN): An amendment to require contractors to report their hiring of former senior Pentagon officials and officers.

A new Government Accountability Office (GAO) report shows that senior Pentagon officials going through the revolving door between the government and defense contractors remains a systemic problem. Congress created a number of restrictions and an ethics review process for those personnel because it was concerned about the undue influence contractors could wield on major policy decisions and acquisition programs as a result of the revolving door.¹ The GAO audit found that despite those limits, 14 major contractors employed 1,718 senior military and civilian or acquisition officials as of 2019.²

¹ Public Law 110-81, § 847; 41 U.S.C. § 2104, <https://www.law.cornell.edu/uscode/text/41/2104>; 18 U.S.C. § 207 <https://www.law.cornell.edu/uscode/text/18/207>; PL 115-91, § 1045; 2 U.S.C. § 1602 <https://www.law.cornell.edu/uscode/text/2/1602>.

² Government Accountability Office, *Post-Government Employment Restrictions*, GAO-21-104311 (September 9, 2021), 12, <https://www.gao.gov/assets/gao-21-104311.pdf>.

Without stronger post-government employment restrictions, there is a substantial risk that senior Pentagon officials' private interests will be placed ahead of our national interests. A recent article from the *Washington Post* revealed that “the eight generals who commanded American forces in Afghanistan between 2008 and 2018 have gone on to serve on more than 20 corporate boards.”³ That includes retired General Joseph Dunford Jr., the former chairman of the joint chiefs of staff, joining the board of Lockheed Martin, the Pentagon's largest contractor.⁴

The NDAA should strengthen post-employment restrictions on senior government employees and military officials going to work for industries that have a financial interest in the Department of Defense's programs or policy decisions. Influence peddling by former senior officials on behalf of contractors risks diminishing military effectiveness, undermines competition and performance, and leads to higher costs for the military and taxpayers.

The amendments listed above would take significant steps toward restoring Americans' faith in their government and ensuring that the military and its civilian leadership are above reproach in their service to our nation. Current restrictions have done little to slow the revolving door, and it's clear that systemic legislative change is needed. We urge you to make these amendments in order and to urge the House to adopt them in the final bill.

Sincerely,

California Clean Money Campaign
Center for International Policy
Common Cause
Council for a Livable World
Demand Progress
Fix Democracy First
Friends Committee on National Legislation
Government Accountability Project
Government Information Watch
In the Public Interest
International Coalition Against Illicit
Economies (ICAIE)
International Corporate Accountability
Roundtable
Issue One
Open the Government

Peace Action
Project On Government Oversight
Public Citizen
Quincy Institute for Responsible Statecraft
Revolving Door Project
Taxpayers Protection Alliance
Professor James Thurber
Transparency International — U.S. Office
The United Methodist Church - General Board
of Church and Society
Lawrence B. Wilkerson, COL, USA (Ret),
former chief of staff to U.S. Secretary of State
Colin Powell
Win Without War
Women's Action for New Directions (WAND)

cc: Members of the House Rules Committee

³ Isaac Stanley-Becker, “Corporate Boards, Consulting, Speaking Fees: How U.S. Generals Thrived after Afghanistan,” *Washington Post*, September 4, 2021,

<https://www.washingtonpost.com/politics/2021/09/04/mcchrystal-afghanistan-navistar-consulting-generals/>.

⁴ Jason Paladino, “The Chairman of the Revolving Door,” Project On Government Oversight, March 6, 2020, <https://www.pogo.org/investigation/2020/03/the-chairman-of-the-revolving-door/>.