

AMENDMENT TO H.R. 2647, AS REPORTED
OFFERED BY MR. AKIN OF MISSOURI

At the end of title X (page 374, after line 6) add the following new section:

1 **SEC. 1055. TRANSPARENCY REPORT FOR THE DEPART-**
2 **MENT OF DEFENSE.**

3 (a) IN GENERAL.—Not later than 14 days after the
4 date on which an employee of the Department of Defense
5 is required to sign a non-disclosure agreement in the car-
6 rying out of the official duties of such employee (other
7 than as such non-disclosure agreement relates to the
8 granting of a security clearance), the Secretary of Defense
9 shall submit to the congressional defense committees a re-
10 port on such non-disclosure agreement, including—

11 (1) the topics that are prohibited from being
12 discussed under such non-disclosure agreement;

13 (2) the number of employees required to sign
14 such non-disclosure agreement;

15 (3) the duration of such non-disclosure agree-
16 ment and the date on which such non-disclosure
17 agreement terminates;

18 (4)) the types of persons to which the signato-
19 ries to such non-disclosure agreement are prohibited

1 from disclosing the information covered by such non-
2 disclosure agreement, including whether Members or
3 staff of Congress are included in such types to which
4 disclosure is prohibited;

5 (5) the reasons employees are required to sign
6 such non-disclosure agreement; and

7 (6) the criteria used to determine which matters
8 were included as information not to be disclosed
9 under such non-disclosure agreement.

10 (b) APPLICABILITY.—

11 (1) IN GENERAL.—Subject to paragraph (2),
12 subsection (a) shall apply with respect to any non-
13 disclosure agreement entered into by an employee of
14 the Department of Defense on or after January 1,
15 2009.

16 (2) INITIAL REPORT.—The report required
17 under subsection (a) (as applied in accordance with
18 paragraph (1)) with respect to non-disclosure agree-
19 ments entered into on or after January 1, 2009, and
20 before the date of the enactment of this Act, shall
21 be submitted not later than 120 days after the date
22 of the enactment of this Act.

