

**AMENDMENT TO H.R. 5959, AS REPORTED
OFFERED BY MS. SCHAKOWSKY OF ILLINOIS**

At the end of subtitle B of title IV, add the following new section:

1 **SEC. 426. PROHIBITION ON ENTERING INTO CONTRACTS**
2 **WITH CONTRACTORS SUSPECTED OF VIOLATING FEDERAL LAWS.**
3

4 (a) **PROHIBITION.**—Notwithstanding any other provision of law, the Director of the Central Intelligence Agency
5 shall not enter into a contract, or extend an existing contract,
6 with a contractor that—
7

8 (1) has a seriously delinquent Federal tax debt;

9 (2) is the subject of a Federal criminal investigation at the time the contract is entered into (or
10 extended); or
11

12 (3) in the performance of the contract intends to use a person who has been involved in criminal
13 activity.
14

15 (b) **EXCEPTION.**—

16 (1) **IN GENERAL.**—The Director of the Central Intelligence Agency may request, and the Director of
17 National Intelligence may grant, a written waiver of
18

1 the requirement under subsection (a) if the Director
2 of the Central Intelligence Agency determines that—

3 (A) no employee of the Federal Govern-
4 ment or other contractor is—

5 (i) capable of performing such activ-
6 ity; and

7 (ii) available to perform such activity;
8 and

9 (B) such activity is in the national interest
10 of the United States and requires the use of a
11 contractor.

12 (2) NOTICE.—Not later than 90 days after
13 granting a waiver under paragraph (1), the Director
14 of National Intelligence shall submit to the Perma-
15 nent Select Committee on Intelligence of the House
16 of Representatives and the Select Committee on In-
17 telligence of the Senate a written explanation of the
18 circumstances of such waiver.

19 (c) DEFINITIONS.—

20 (1) SERIOUSLY DELINQUENT TAX DEBT.—The
21 term “seriously delinquent Federal tax debt”—

22 (A) means an outstanding debt under the
23 Internal Revenue Code of 1986 for which a no-
24 tice of lien has been filed in public records pur-
25 suant to section 6323 of such Code; and

1 (B) does not include—

2 (i) a debt that is being paid in a time-
3 ly manner pursuant to an agreement under
4 section 6159 or section 7122 of such Code;
5 or

6 (ii) a debt with respect to which a col-
7 lection due process hearing under section
8 6330 of such Code, or relief under sub-
9 section (a), (b), or (f) of section 6015 of
10 such Code, is requested or pending.

11 (2) CRIMINAL ACTIVITY.—The term “person
12 who has been involved in criminal activity” means—

13 (A) a person who has a criminal record;

14 (B) a person who has been charged with a
15 crime in the United States if that charge is still
16 pending; or

17 (C) a person who has been charged with a
18 crime in a country in which a contract is to be
19 performed.

