

119TH CONGRESS
2D SESSION

H. R. 9859

To require the Secretary of Labor to enter into adverse interest agreements if the Secretary shares information with an individual that is related to a potential civil action, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2026

Mr. MESSMER introduced the following bill; which was referred to the
Committee on Education and Workforce

A BILL

To require the Secretary of Labor to enter into adverse interest agreements if the Secretary shares information with an individual that is related to a potential civil action, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ethical Investigations
5 and Integrity Act”.

6 **SEC. 2. ADVERSE INTEREST AGREEMENT REQUIREMENTS.**

7 (a) IN GENERAL.—In the event that the Secretary
8 of Labor provides adverse assistance to an individual,

1 prior to providing the adverse assistance, the Secretary
2 shall—

3 (1) enter into a written agreement with the in-
4 dividual that details the nature and scope of such
5 assistance; and

6 (2) provide a copy of such agreement to any
7 employer or contractor that may be directly and ad-
8 versely impacted by such assistance.

9 (b) REPORT.—

10 (1) IN GENERAL.—Not later than 60 days after
11 the date of enactment of this Act, and by December
12 31 of each year that begins after such date, the Sec-
13 retary shall submit to Congress a report containing
14 information on all agreements to provide adverse as-
15 sistance in effect for the preceding fiscal year, in-
16 cluding, in relation to each such agreement—

17 (A) a copy of the agreement, with any in-
18 formation described in subparagraph (2)(B) re-
19 dacted;

20 (B) the date the agreement was entered
21 into; and

22 (C) a detailed description of the nature
23 and scope of the assistance provided during the
24 fiscal year, including—

1 (i) the information shared, including
2 the source, type, and amount of the infor-
3 mation, and the date on which such infor-
4 mation was shared;

5 (ii) a log of verbal communications,
6 including—

7 (I) the date of each communica-
8 tion;

9 (II) the parties engaged in such
10 communication;

11 (III) the mode of communication;
12 and

13 (IV) the nature of any informa-
14 tion shared; and

15 (iii) a log of meetings, including—

16 (I) the date of each meeting;

17 (II) the parties present at the
18 meeting;

19 (III) mode of the meeting; and

20 (IV) the purpose of such meeting
21 and the nature of any information
22 shared.

23 (2) IDENTIFYING INFORMATION.—The report
24 described under paragraph (2)—

1 (A) shall identify the parties to each agree-
2 ment; and

3 (B) may not include any information that
4 may be used to identify any other person (in-
5 cluding an employer, contractor, or any other
6 potential defendant).

7 (c) EXISTING ARRANGEMENTS.—For the purposes of
8 subsection (a), if, not later than 60 days after the date
9 of enactment of this Act, the Secretary of Labor takes
10 the actions required in paragraphs (1) and (2) of such
11 subsection in relation to an existing arrangement to pro-
12 vide adverse assistance, the Secretary shall be deemed to
13 have taken such actions prior to providing such adverse
14 assistance.

15 (d) DEFINITIONS.—In this section:

16 (1) ADVERSE ASSISTANCE.—The term “adverse
17 assistance” means assistance or advice, including the
18 disclosure of information, that is directed specifically
19 toward an attorney for potential use in a civil action
20 under any covered law.

21 (2) COVERED LAW.—The term “covered law”
22 means any provision of law that is enforced by the
23 Wage and Hour Division of the Department of
24 Labor as of the date of enactment of this Act.

1 (3) EMPLOYER.—The term “employer” has the
2 meaning given the term in section 3 of the Fair
3 Labor Standards Act of 1938 (29 U.S.C. 203).

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