

**AMENDMENT TO  
RULES COMMITTEE PRINT 119-33  
OFFERED BY MR. PFLUGER OF TEXAS**

Add at the end of subtitle B of title XVII the following:

1 **SEC. 17\_\_ . AVOIDING CONFLICTS OF INTEREST AFTER**  
2 **GOVERNMENT SERVICE.**

3 (a) POST-EMPLOYMENT RESTRICTIONS ON OFFI-  
4 CIALS IN POSITIONS SUBJECT TO SENATE CONFIRMA-  
5 TION.—

6 (1) IN GENERAL.—Section 207 of title 18,  
7 United States Code, is amended by adding at the  
8 end the following:

9 “(m) EXTENDED POST-EMPLOYMENT RESTRICTIONS  
10 FOR OFFICIALS IN POSITIONS SUBJECT TO SENATE CON-  
11 FIRMATION.—

12 “(1) DEFINITIONS.—In this subsection:

13 “(A) COUNTRY OF CONCERN.—The term  
14 ‘country of concern’ has the meaning given the  
15 term in section 1(m) of the State Department  
16 Basic Authorities Act of 1956 (22 U.S.C.  
17 2651a(m)), except that it does not include the  
18 country described in paragraph (1)(A)(vi) of

1           that section, as in effect on the date of enact-  
2           ment of the Conflict-free Leaving Employment  
3           and Activity Restrictions Path Act.

4           “(B) FOREIGN GOVERNMENTAL ENTITY.—  
5           The term ‘foreign governmental entity’ has the  
6           meaning given the term in section 1(m) of the  
7           State Department Basic Authorities Act of  
8           1956 (22 U.S.C. 2651a(m)).

9           “(C) REPRESENT.—The term ‘represent’  
10          does not include representation by an attorney,  
11          who is duly licensed and authorized to provide  
12          legal advice in a United States jurisdiction, of  
13          a person or entity in a legal capacity or for the  
14          purposes of rendering legal advice.

15          “(D) SENATE-CONFIRMED POSITION.—The  
16          term ‘Senate-confirmed position’ means a posi-  
17          tion in a department or agency of the executive  
18          branch of the United States for which appoint-  
19          ment is required to be made by the President,  
20          by and with the advice and consent of the Sen-  
21          ate.

22          “(2) AGENCY HEADS, DEPUTY HEADS, AND  
23          OTHER POSITIONS SUBJECT TO SENATE CONFIRMA-  
24          TION.—Any person who serves in a position requir-  
25          ing appointment by the President as head or deputy

1 head of, or serves in any other Senate-confirmed po-  
2 sition in, a department or agency of the executive  
3 branch of the United States, and who, at any time  
4 after the termination of the person's service in that  
5 position, knowingly represents, aids, or advises a for-  
6 eign governmental entity of a country of concern be-  
7 fore an officer or employee of the executive or legis-  
8 lative branch of the United States with the intent to  
9 influence a decision of the officer or employee in car-  
10 rying out his or her official duties shall be punished  
11 as provided in section 216.

12 “(3) NOTICE OF RESTRICTIONS.—Any person  
13 subject to the restrictions under this subsection shall  
14 be provided notice of these restrictions by the rel-  
15 evant department or agency—

16 “(A) upon appointment by the President;  
17 and

18 “(B) upon termination of service with the  
19 relevant department or agency.

20 “(4) EFFECTIVE DATE.—

21 “(A) IN GENERAL.—Except as provided in  
22 subparagraph (B), the restrictions under this  
23 subsection shall apply only to persons who are  
24 appointed by the President to the positions ref-  
25 erenced in this subsection on or after the date

1 of enactment of the Conflict-free Leaving Em-  
2 ployment and Activity Restrictions Path Act.

3 “(B) GRACE PERIOD FOR ADDED COUN-  
4 TRIES OF CONCERN.—If the definition of the  
5 term ‘country of concern’ under subsection (m)  
6 of section 1 of the State Department Basic Au-  
7 thorities Act of 1956 (22 U.S.C. 2651a) is  
8 modified in accordance with paragraph (7) of  
9 that subsection by adding a country to the list  
10 of countries described in paragraph (1)(A) of  
11 that subsection, in the case of any person who  
12 is appointed by the President to a position ref-  
13 erenced in this subsection on or after the date  
14 of enactment of the Conflict-free Leaving Em-  
15 ployment and Activity Restrictions Path Act  
16 and who knowingly represents, aids, or advises  
17 a foreign governmental entity of a country  
18 added to the list of countries described in para-  
19 graph (1)(A) of such subsection (m), the re-  
20 strictions under this subsection shall apply to  
21 such person on and after the date that is 30  
22 days after the date of enactment of a relevant  
23 joint resolution of approval as described in  
24 paragraph (7)(C) of such subsection (m) adding

1           that country to the list of countries described in  
2           paragraph (1)(A) of such subsection (m).

3           “(5) SUNSET.—

4                   “(A) IN GENERAL.—On and after the date  
5           that is 5 years after the date of enactment of  
6           the Conflict-free Leaving Employment and Ac-  
7           tivity Restrictions Path Act, the restrictions  
8           under paragraph (2) shall not apply to any per-  
9           son appointed by the President, on or after  
10          such date of enactment, to a position referenced  
11          in this subsection, without regard to the date  
12          on which the service of such person in such po-  
13          sition terminates.

14                   “(B) NO EFFECT ON CONDUCT BEFORE  
15          SUNSET.—Nothing in subparagraph (A) shall  
16          be construed to limit the applicability of para-  
17          graph (2) with respect to any conduct by a per-  
18          son appointed by the President to a position  
19          referenced in this subsection that occurred be-  
20          fore the date that is 5 years after the date of  
21          enactment of the Conflict-free Leaving Employ-  
22          ment and Activity Restrictions Path Act.”.

23           (2) CONFORMING AMENDMENT.—Section 1(m)  
24          of the State Department Basic Authorities Act of  
25          1956 (22 U.S.C. 2651a(m)) is amended—

1 (A) by redesignating paragraphs (6) and  
2 (7) as paragraphs (8) and (9), respectively; and

3 (B) by inserting after paragraph (5) the  
4 following:

5 “(6) RELATION TO GOVERNMENT-WIDE RE-  
6 STRICTIONS.—This subsection shall not apply to a  
7 person by reason of the person’s service in a position  
8 referenced in this subsection if the person is subject  
9 to the restrictions under section 207(m) of title 18,  
10 United States Code, by reason of the same service.”.

11 (b) MECHANISM TO AMEND DEFINITION OF “COUN-  
12 TRY OF CONCERN”.—Section 1(m) of the State Depart-  
13 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a(m))  
14 is amended by inserting after paragraph (6), as added by  
15 section 3(b), the end the following:

16 “(7) MODIFICATION TO DEFINITION OF ‘COUN-  
17 TRY OF CONCERN’.—

18 “(A) IN GENERAL.—The Secretary of  
19 State may, in consultation with the Attorney  
20 General, propose the addition or deletion of  
21 countries described in paragraph (1)(A).

22 “(B) SUBMISSION.—Any proposal de-  
23 scribed in subparagraph (A) shall—

24 “(i) be submitted to the Chairman  
25 and Ranking Member of the Committee on

1 Foreign Relations of the Senate and the  
2 Chairman and Ranking Member of the  
3 Committee on the Judiciary of the House  
4 of Representatives; and

5 “(ii) become effective upon enactment  
6 of a joint resolution of approval as de-  
7 scribed in subparagraph (C).

8 “(C) JOINT RESOLUTION OF APPROVAL.—

9 “(i) IN GENERAL.—For purposes of  
10 subparagraph (B)(ii), the term ‘joint reso-  
11 lution of approval’ means only a joint reso-  
12 lution—

13 “(I) that does not have a pre-  
14 amble;

15 “(II) that includes in the matter  
16 after the resolving clause the fol-  
17 lowing: ‘That Congress approves the  
18 modification of the definition of  
19 “country of concern” under section  
20 1(m) of the State Department Basic  
21 Authorities Act of 1956, as submitted  
22 by the Secretary of State on  
23 \_\_\_\_\_; and section 1(m)(1)(A) of  
24 the State Department Basic Authori-  
25 ties Act of 1956 (22 U.S.C.

1           2651a(m)(1)(A)) is amended by  
2           \_\_\_\_\_.’, the blank spaces  
3           being appropriately filled in with the  
4           appropriate date and the amendatory  
5           language required to modify the list of  
6           countries in paragraph (1)(A) of this  
7           subsection by adding or deleting 1 or  
8           more countries; and

9                   “(III) the title of which is as fol-  
10                  lows: ‘Joint resolution approving  
11                  modifications to definition of “country  
12                  of concern” under section 1(m) of the  
13                  State Department Basic Authorities  
14                  Act of 1956.’.

15                  “(ii) REFERRAL.—

16                   “(I) SENATE.—A resolution de-  
17                  scribed in clause (i) that is introduced  
18                  in the Senate shall be referred to the  
19                  Committee on Foreign Relations of  
20                  the Senate.

21                   “(II) HOUSE OF REPRESENTA-  
22                  TIVES.—A resolution described in  
23                  clause (i) that is introduced in the  
24                  House of Representatives shall be re-  
25                  ferred to the Committee on the Judi-

1                   ciary of the House of Representa-  
2                   tives.”.

