AMENDMENT TO RULES COMMITTEE PRINT 116–19

OFFERED BY MR. PHILLIPS OF MINNESOTA

At the end of subtitle H of title X, add the following:

SEC. 10. RESTRICTIONS ON ADVISING FOREIGN GOVERNMENTS.

Section 207(f) of title 18, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) TEMPORARY RESTRICTION WITHOUT PRIOR APPROVAL.—

“(A) IN GENERAL.—Any person who was employed as a senior official in the executive office of the President, in the Department of State, in the Department of Defense, or in the Department of the Treasury who, during the covered period, knowingly, and without the explicit prior approval of the designated official, performs compensated work on behalf of an en-
tity of a foreign government that might benefit from the knowledge obtained by the person as a result of such Federal Government employment, shall be punished as provided in section 216 of this title.

“(B) LIMITATION ON APPROVAL.—A designated official may not approve any work described in subparagraph (A) that conflicts with the national security interests of the United States, as determined by the Secretary and verified by the Director of National Intelligence.

“(C) ANNUAL REPORT.—Beginning in the calendar year after the date of enactment of this paragraph, each designated official shall submit to the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate and the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives an annual report listing each approval made by such official under subparagraph (A) during the prior calendar year. Each designated official shall make the annual report available on a publicly accessible
website not later than 30 days after the date on which the report is submitted.

“(D) DEFINITIONS.—In this paragraph:

“(i) The term ‘covered period’ means the four-year period following the date on which a person described in subparagraph (A) was last employed as a senior official in the executive office of the President, in the Department of State, in the Department of Defense, or in the Department of Treasury.

“(ii) The term ‘designated official’ means—

“(I) the President, with respect to persons previously employed by the executive office of the President;

“(II) the Secretary of State, with respect to persons previously employed by the Department of State;

“(III) the Secretary of Defense, with respect to persons previously employed by the Department of Defense; and

“(IV) the Secretary of the Treasury, with respect to persons previously employed by the Department of the Treasury.
employed by the Department of the Treasury.”.