

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:

1 **SEC. 10__ . RESTRICTIONS ON ADVISING FOREIGN GOV-**
2 **ERNMENTS.**

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

5 (1) by redesignating paragraph (3) as para-
6 graph (4); and

7 (2) by inserting after paragraph (2) the fol-
8 lowing:

9 “(3) TEMPORARY RESTRICTION WITHOUT PRIOR
10 APPROVAL.—

11 “(A) IN GENERAL.—Any person who was
12 employed as a senior official in the executive of-
13 fice of the President, in the Department of
14 State, in the Department of Defense, or in the
15 Department of the Treasury who, during the
16 covered period, knowingly, and without the ex-
17 plicit prior approval of the designated official,
18 performs compensated work on behalf of an en-

1 tity of a foreign government that might benefit
2 from the knowledge obtained by the person as
3 a result of such Federal Government employ-
4 ment, shall be punished as provided in section
5 216 of this title.

6 “(B) LIMITATION ON APPROVAL.—A des-
7 ignated official may not approve any work de-
8 scribed in subparagraph (A) that conflicts with
9 the national security interests of the United
10 States, as determined by the Secretary and
11 verified by the Director of National Intelligence.

12 “(C) ANNUAL REPORT.—Beginning in the
13 calendar year after the date of enactment of
14 this paragraph, each designated official shall
15 submit to the Committee on Foreign Relations,
16 the Committee on Armed Services, and the Se-
17 lect Committee on Intelligence of the Senate
18 and the Committee on Foreign Affairs, the
19 Committee on Armed Services, and the Perma-
20 nent Select Committee on Intelligence of the
21 House of Representatives an annual report list-
22 ing each approval made by such official under
23 subparagraph (A) during the prior calendar
24 year. Each designated official shall make the
25 annual report available on a publicly accessible

1 website not later than 30 days after the date on
2 which the report is submitted.

3 “(D) DEFINITIONS.—In this paragraph:

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

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

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

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

20 “(III) the Secretary of Defense,
21 with respect to persons previously em-
22 ployed by the Department of Defense;
23 and

24 “(IV) the Secretary of the Treas-
25 ury, with respect to persons previously

1 employed by the Department of the
2 Treasury.”.

