

**AMENDMENT TO  
RULES COMMITTEE PRINT 118-10  
OFFERED BY MR. WILSON OF SOUTH CAROLINA**

At the end of title V, insert the following:

1 **SEC. \_\_\_\_ . RESTRICTIONS ON THE FOREIGN EMPLOYMENT**  
2 **OF CERTAIN FORMER MEMBERS OF THE**  
3 **ARMED FORCES AND CIVILIAN EMPLOYEES**  
4 **OF THE DEPARTMENT OF DEFENSE.**

5 (a) IN GENERAL.—Chapter 49 of title 10, United  
6 States Code, is amended by adding inserting after section  
7 985 the following new section:

8 **“§ 986. Restrictions on the activities of certain former**  
9 **members and civilian employees**

10 “(a) RESTRICTIONS.—Notwithstanding section 1060  
11 of this title and section 908 of title 37, a covered former  
12 defense official may not accept or perform covered foreign  
13 employment—

14 “(1) during the 36-month period after the date  
15 on which the military service or employment by the  
16 Department of Defense of such covered former de-  
17 fense official ends; or

18 “(2) at any time if—

1           “(A) the covered employment is in a des-  
2           gnated country or for the government of a des-  
3           gnated country; or

4           “(B) the covered former defense official oc-  
5           cupied a designated defense position during  
6           military service or employment by the Depart-  
7           ment of Defense.

8           “(b) REPORTING.—Any person who is a covered  
9           former defense official shall report to the Secretary con-  
10          cerned any—

11           “(1) agreement to accept or perform covered  
12          foreign employment; and

13           “(2) performance of covered foreign employ-  
14          ment annually.

15           “(c) PENALTIES.—A person who knowingly violates  
16          this section shall be fined under title 18 or imprisoned  
17          for not more than five years, or both.

18           “(d) FORFEITURES.—No covered former defense offi-  
19          cial, or a survivor or beneficiary of such covered former  
20          defense official, may be paid an annuity or retired pay  
21          if such covered former defense official violates this section.

22           “(e) NOTICE TO COVERED FORMER DEFENSE OFFI-  
23          CIALS.—The Secretary concerned shall provide written no-  
24          tice to any person who is or may become subject to this  
25          section.

1           “(f) NOTIFICATION TO CONGRESS.—Not later than  
2 30 days after the Secretary concerned determines that a  
3 covered former defense official has violated this section,  
4 the Secretary concerned shall notify the congressional de-  
5 fense committees in writing of such determination. Such  
6 notification shall include the following:

7           “(1) The name of the covered former defense  
8 official.

9           “(2) The name and country of the employer,  
10 government, or represented principal for whom the  
11 covered former defense official directly or indirectly  
12 performed covered foreign employment.

13           “(3) The determination of the Secretary con-  
14 cerned whether such violation—

15           “(A) constitutes a risk to national security;

16           “(B) violates other Federal law;

17           “(C) constitutes an abuse of human rights;

18           or

19           “(D) infringes upon the privacy rights of a  
20 United States person.

21           “(g) DEFINITIONS.—In this section:

22           “(1) The term ‘covered foreign employment’  
23 means direct or indirect employment by, representa-  
24 tion of, or any provision of advice or services relat-  
25 ing to armed forces, national security, internal secu-

1 rity, or national intelligence to, the government of a  
2 foreign country or any person directly or indirectly  
3 subject to the control, direction, or supervision of  
4 any government of a foreign country, or financed or  
5 subsidized by such government.

6 “(2) The term ‘covered former defense official’  
7 means an individual—

8 “(A) separated from the Armed Forces,  
9 who, before such separation, was in a grade  
10 above O-5; or

11 “(B) appointed to a civilian position in the  
12 Department of Defense classified or established  
13 above Grade 14 of the General Schedule.

14 “(3) The term ‘designated country’ means the  
15 following:

16 “(A) The People’s Republic of China.

17 “(B) The Russian Federation.

18 “(C) The Islamic Republic of Iran.

19 “(D) The Democratic People’s Republic of  
20 Korea.

21 “(E) The Republic of Cuba.

22 “(F) The Syrian Arab Republic.

23 “(4) The term ‘designated defense position’  
24 means—

1           “(A) a position in the armed forces des-  
2           gnated by the President under section 601 of  
3           this title;

4           “(B) an office of the Department of De-  
5           fense appointed by the President, by and with  
6           the advice and consent of the Senate; or

7           “(C) a position of civilian employment in  
8           the Department of Defense classified or estab-  
9           lished in Level I, II, or III of the Executive  
10          Schedule.

11          “(5) The terms ‘annuity’ and ‘retired pay’ have  
12          the meanings given such terms in section 8311 of  
13          title 5.

14          “(6) The terms ‘government of a designated  
15          country’, ‘government of a foreign country’, and  
16          ‘person’ have the meanings given such terms in sec-  
17          tion 1 of the Foreign Agents Registration Act (22  
18          U.S.C. 611).”.

19          (b) EFFECTIVE DATE.—Section 986 of title 10,  
20          United States Code, as added by subsection (a), shall take  
21          effect 120 days after the date of the enactment of this  
22          Act.

