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

At the end of title V, insert the following:

SEC. __. RESTRICTIONS ON THE FOREIGN EMPLOYMENT
OF CERTAIN FORMER MEMBERS OF THE
ARMED FORCES AND CIVILIAN EMPLOYEES
OF THE DEPARTMENT OF DEFENSE.

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

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

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

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

“(2) at any time if—
“(A) the covered employment is in a designated country or for the government of a designated country; or

“(B) the covered former defense official occupied a designated defense position during military service or employment by the Department of Defense.

“(b) REPORTING.—Any person who is a covered former defense official shall report to the Secretary concerned any—

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

“(2) performance of covered foreign employment annually.

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

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

“(e) NOTICE TO COVERED FORMER DEFENSE OFFICIALS.—The Secretary concerned shall provide written notice to any person who is or may become subject to this section.
“(f) Notification to Congress.—Not later than 30 days after the Secretary concerned determines that a covered former defense official has violated this section, the Secretary concerned shall notify the congressional defense committees in writing of such determination. Such notification shall include the following:

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

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

“(3) The determination of the Secretary concerned whether such violation—

“(A) constitutes a risk to national security;

“(B) violates other Federal law;

“(C) constitutes an abuse of human rights;

or

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

“(g) Definitions.—In this section:

“(1) The term ‘covered foreign employment’ means direct or indirect employment by, representation of, or any provision of advice or services relating to armed forces, national security, internal secu-
rity, or national intelligence to, the government of a foreign country or any person directly or indirectly subject to the control, direction, or supervision of any government of a foreign country, or financed or subsidized by such government.

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

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

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

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

“(A) The People’s Republic of China.
“(B) The Russian Federation.
“(C) The Islamic Republic of Iran.
“(D) The Democratic People’s Republic of Korea.
“(E) The Republic of Cuba.
“(F) The Syrian Arab Republic.

“(4) The term ‘designated defense position’ means—
“(A) a position in the armed forces designated by the President under section 601 of this title;

“(B) an office of the Department of Defense appointed by the President, by and with the advice and consent of the Senate; or

“(C) a position of civilian employment in the Department of Defense classified or established in Level I, II, or III of the Executive Schedule.

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

“(6) The terms ‘government of a designated country’, ‘government of a foreign country’, and ‘person’ have the meanings given such terms in section 1 of the Foreign Agents Registration Act (22 U.S.C. 611).”.

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