

119TH CONGRESS
2^D SESSION

S. 2132

AN ACT

To amend title 18, United States Code, to prevent and mitigate the potential for conflicts of interest following government service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Conflict-free Leaving
3 Employment and Activity Restrictions Path Act” or the
4 “CLEAR Path Act”.

5 **SEC. 2. SENSE OF CONGRESS.**

6 It is the sense of Congress that—

7 (1) Congress and the executive branch have rec-
8 ognized the importance of preventing and mitigating
9 the potential for conflicts of interest following Gov-
10 ernment service, including with respect to senior
11 United States officials working on behalf of foreign
12 governments; and

13 (2) Congress and the executive branch should
14 jointly evaluate the status and scope of post-employ-
15 ment restrictions.

16 **SEC. 3. POST-EMPLOYMENT RESTRICTIONS ON OFFICIALS**
17 **IN POSITIONS SUBJECT TO SENATE CON-**
18 **FIRMATION.**

19 (a) IN GENERAL.—Section 207 of title 18, United
20 States Code, is amended by adding at the end the fol-
21 lowing:

22 “(m) EXTENDED POST-EMPLOYMENT RESTRICTIONS
23 FOR OFFICIALS IN POSITIONS SUBJECT TO SENATE CON-
24 FIRMATION.—

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

1 “(A) COUNTRY OF CONCERN.—The term
2 ‘country of concern’ has the meaning given the
3 term in section 1(m) of the State Department
4 Basic Authorities Act of 1956 (22 U.S.C.
5 2651a(m)), except that it does not include the
6 country described in paragraph (1)(A)(vi) of
7 that section, as in effect on the date of enact-
8 ment of the Conflict-free Leaving Employment
9 and Activity Restrictions Path Act.

10 “(B) FOREIGN GOVERNMENTAL ENTITY.—
11 The term ‘foreign governmental entity’ has the
12 meaning given the term in section 1(m) of the
13 State Department Basic Authorities Act of
14 1956 (22 U.S.C. 2651a(m)).

15 “(C) REPRESENT.—The term ‘represent’
16 does not include representation by an attorney,
17 who is duly licensed and authorized to provide
18 legal advice in a United States jurisdiction, of
19 a person or entity in a legal capacity or for the
20 purposes of rendering legal advice.

21 “(D) SENATE-CONFIRMED POSITION.—The
22 term ‘Senate-confirmed position’ means a posi-
23 tion in a department or agency of the executive
24 branch of the United States for which appoint-
25 ment is required to be made by the President,

1 by and with the advice and consent of the Sen-
2 ate.

3 “(2) AGENCY HEADS, DEPUTY HEADS, AND
4 OTHER POSITIONS SUBJECT TO SENATE CONFIRMA-
5 TION.—Any person who serves in a position requir-
6 ing appointment by the President as head or deputy
7 head of, or serves in any other Senate-confirmed po-
8 sition in, a department or agency of the executive
9 branch of the United States, and who, at any time
10 after the termination of the person’s service in that
11 position, knowingly represents, aids, or advises a for-
12 eign governmental entity of a country of concern be-
13 fore an officer or employee of the executive or legis-
14 lative branch of the United States with the intent to
15 influence a decision of the officer or employee in car-
16 rying out his or her official duties shall be punished
17 as provided in section 216.

18 “(3) NOTICE OF RESTRICTIONS.—Any person
19 subject to the restrictions under this subsection shall
20 be provided notice of these restrictions by the rel-
21 evant department or agency—

22 “(A) upon appointment by the President;
23 and

24 “(B) upon termination of service with the
25 relevant department or agency.

1 “(4) EFFECTIVE DATE.—

2 “(A) IN GENERAL.—Except as provided in
3 subparagraph (B), the restrictions under this
4 subsection shall apply only to persons who are
5 appointed by the President to the positions ref-
6 erenced in this subsection on or after the date
7 of enactment of the Conflict-free Leaving Em-
8 ployment and Activity Restrictions Path Act.

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

1 restrictions under this subsection shall apply to
2 such person on and after the date that is 30
3 days after the date of enactment of a relevant
4 joint resolution of approval as described in
5 paragraph (7)(C) of such subsection (m) adding
6 that country to the list of countries described in
7 paragraph (1)(A) of such subsection (m).

8 “(5) SUNSET.—

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

19 “(B) NO EFFECT ON CONDUCT BEFORE
20 SUNSET.—Nothing in subparagraph (A) shall
21 be construed to limit the applicability of para-
22 graph (2) with respect to any conduct by a per-
23 son appointed by the President to a position
24 referenced in this subsection that occurred be-
25 fore the date that is 5 years after the date of

1 enactment of the Conflict-free Leaving Employ-
2 ment and Activity Restrictions Path Act.”.

3 (b) CONFORMING AMENDMENT.—Section 1(m) of the
4 State Department Basic Authorities Act of 1956 (22
5 U.S.C. 2651a(m)) is amended—

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

8 (2) by inserting after paragraph (5) the fol-
9 lowing:

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

16 **SEC. 4. MECHANISM TO AMEND DEFINITION OF “COUNTRY**
17 **OF CONCERN”.**

18 Section 1(m) of the State Department Basic Authori-
19 ties Act of 1956 (22 U.S.C. 2651a(m)) is amended by in-
20 serting after paragraph (6), as added by section 3(b), the
21 following:

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

24 “(A) IN GENERAL.—The Secretary of
25 State may, in consultation with the Attorney

1 General, propose the addition or deletion of
2 countries described in paragraph (1)(A).

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

5 “(i) be submitted to the Chairman
6 and Ranking Member of the Committee on
7 Foreign Relations of the Senate and the
8 Chairman and Ranking Member of the
9 Committee on the Judiciary of the House
10 of Representatives; and

11 “(ii) become effective upon enactment
12 of a joint resolution of approval as de-
13 scribed in subparagraph (C).

14 “(C) JOINT RESOLUTION OF APPROVAL.—

15 “(i) IN GENERAL.—For purposes of
16 subparagraph (B)(ii), the term ‘joint reso-
17 lution of approval’ means only a joint reso-
18 lution—

19 “(I) that does not have a pre-
20 amble;

21 “(II) that includes in the matter
22 after the resolving clause the fol-
23 lowing: ‘That Congress approves the
24 modification of the definition of
25 “country of concern” under section

1 1(m) of the State Department Basic
2 Authorities Act of 1956, as submitted
3 by the Secretary of State on
4 _____; and section 1(m)(1)(A) of
5 the State Department Basic Authori-
6 ties Act of 1956 (22 U.S.C.
7 2651a(m)(1)(A)) is amended by
8 _____.’, the blank spaces
9 being appropriately filled in with the
10 appropriate date and the amendatory
11 language required to modify the list of
12 countries in paragraph (1)(A) of this
13 subsection by adding or deleting 1 or
14 more countries; and

15 “(III) the title of which is as fol-
16 lows: ‘Joint resolution approving
17 modifications to definition of “country
18 of concern” under section 1(m) of the
19 State Department Basic Authorities
20 Act of 1956.’.

21 “(ii) REFERRAL.—

22 “(I) SENATE.—A resolution de-
23 scribed in clause (i) that is introduced
24 in the Senate shall be referred to the

1 Committee on Foreign Relations of
2 the Senate.

3 “(II) HOUSE OF REPRESENTA-
4 TIVES.—A resolution described in
5 clause (i) that is introduced in the
6 House of Representatives shall be re-
7 ferred to the Committee on the Judi-
8 ciary of the House of Representa-
9 tives.”.

Passed the Senate April 21, 2026.

Attest:

Secretary.

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