

119TH CONGRESS
1ST SESSION

S. 2132

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

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2025

Mr. CORNYN (for himself, Mr. WELCH, Mr. RISCH, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

7 **SEC. 2. SENSE OF CONGRESS.**

8 It is the sense of Congress that—

1 (1) Congress and the executive branch have rec-
 2 ognized the importance of preventing and mitigating
 3 the potential for conflicts of interest following gov-
 4 ernment service, including with respect to senior
 5 United States officials working on behalf of foreign
 6 governments; and

7 (2) Congress and the executive branch should
 8 jointly evaluate the status and scope of post-employ-
 9 ment restrictions.

10 **SEC. 3. POST-EMPLOYMENT RESTRICTIONS ON OFFICIALS**
 11 **IN POSITIONS SUBJECT TO SENATE CON-**
 12 **FIRMATION.**

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

16 “(m) EXTENDED POST-EMPLOYMENT RESTRICTIONS
 17 FOR OFFICIALS IN POSITIONS SUBJECT TO SENATE CON-
 18 FIRMATION.—

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

20 “(A) COUNTRY OF CONCERN.—The term
 21 ‘country of concern’ has the meaning given the
 22 term in section 1(m) of the State Department
 23 Basic Authorities Act of 1956 (22 U.S.C.
 24 2651a(m)).

1 “(B) FOREIGN GOVERNMENTAL ENTITY.—

2 The term ‘foreign governmental entity’ has the
3 meaning given the term in section 1(m) of the
4 State Department Basic Authorities Act of
5 1956 (22 U.S.C. 2651a(m)).

6 “(C) REPRESENT.—The term ‘represent’
7 does not include representation by an attorney,
8 who is duly licensed and authorized to provide
9 legal advice in a United States jurisdiction, of
10 a person or entity in a legal capacity or for the
11 purposes of rendering legal advice.

12 “(D) SENATE-CONFIRMED POSITION.—The
13 term ‘Senate-confirmed position’ means a posi-
14 tion in a department or agency of the executive
15 branch of the United States for which appoint-
16 ment is required to be made by the President,
17 by and with the advice and consent of the Sen-
18 ate.

19 “(2) AGENCY HEADS, DEPUTY HEADS, AND
20 OTHER POSITIONS SUBJECT TO SENATE CONFIRMA-
21 TION.—With respect to a person serving as the head
22 or deputy head of, or serving in any Senate-con-
23 firmed position in, a department or agency of the ex-
24 ecutive branch of the United States, the restrictions
25 described in subsection (f)(1) shall apply to any such

1 person who knowingly represents, aids, or advises a
2 foreign governmental entity of a country of concern
3 before an officer or employee of the executive or leg-
4 islative branch of the United States with the intent
5 to influence a decision of the officer or employee in
6 carrying out his or her official duties at any time
7 after the termination of the person’s service in that
8 position.

9 “(3) NOTICE OF RESTRICTIONS.—Any person
10 subject to the restrictions under this subsection shall
11 be provided notice of these restrictions by the rel-
12 evant department or agency—

13 “(A) upon appointment by the President;

14 and

15 “(B) upon termination of service with the
16 relevant department or agency.

17 “(4) EFFECTIVE DATE.—The restrictions under
18 this subsection shall apply only to persons who are
19 appointed by the President to the positions ref-
20 erenced in this section on or after the date of enact-
21 ment of the Conflict-free Leaving Employment and
22 Activity Restrictions Path Act.

23 “(5) SUNSET.—The restrictions under this sub-
24 section shall expire on the date that is 5 years after

1 the date of enactment of the Conflict-free Leaving
 2 Employment 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 end the 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

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

“(B) SUBMISSION.—Any proposal described in subparagraph (A) shall—

“(i) be submitted to the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate and the Chairman and Ranking Member of the Committee on the Judiciary of the House of Representatives; and

“(ii) become effective upon enactment of a joint resolution of approval as described in subparagraph (C).

“(C) JOINT RESOLUTION OF APPROVAL.—

“(i) IN GENERAL.—For purposes of subparagraph (B)(ii), the term ‘joint resolution of approval’ means only a joint resolution—

“(I) that does not have a preamble;

“(II) that includes in the matter after the resolving clause the following: ‘That Congress approves the modification of the definition of “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.”.

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