

Retired Officers Conflict of Interest Act

Senators Elizabeth Warren and Charles Grassley

The [Emoluments Clause](#) of the Constitution, one of our country's [founding anti-corruption provisions](#), requires retired military officers to receive congressional approval before accepting compensation from any foreign government. In order to receive approval each retired military officer [must receive permission](#) from their military service secretary and the Secretary of State.

Recent investigations by the [Washington Post](#), [Project On Government Oversight](#), and [Congress](#) revealed the State Department and military services approved hundreds of officers working for foreign governments. About [95 percent of applications](#) were granted, indicating requests [“are largely rubber-stamped.”](#) Anyone who works for a foreign government without seeking permission risks losing retirement pay, but the Defense Finance and Accounting Service only exercised this punishment for fewer than five people.

Retired Officers Conflict of Interest Act

The Retired Officers Conflicts of Interest Act would require public reporting on retired service members working on behalf of foreign governments and creates civil penalties if they violate the law. Specifically, this bill:

- Prohibits service members from negotiating foreign government employment or work for a private contractor on behalf of a foreign government while still on active duty.
- Requires approvals to be conditioned on whether it would harm U.S. national security.
- Prohibits intelligence officers from working for foreign governments for 30 months, other than for our closest allies.
- Closes the loophole that allows officers to work for a foreign government without review if it is for a U.S.-based contractor.
- Requires all retiring service members and intelligence officers to be notified of these restrictions.
- Rescinds approval to work for a foreign government if the individual failed to notify the State Department and their military service secretary of significant changes to their employment.
- Requires public reporting on approvals and for those approvals to be included in a searchable database that includes their name, military service, former office, nature of work, the foreign government they are employed by, and the amount of money received.
- Requires retired service members to report any foreign employment annually for the first five years they are retired.
- Creates civil penalties of \$100,000 or the amount of money received for anyone who works for a foreign government without receiving approval or fails to report foreign employment to DoD.
- Creates additional penalties for violations, including being prohibited for five years from accepting employment or compensation from foreign governments, accepting employment with the federal government, serving on a federal advisory committee or in any other advisory capacity, and holding a security clearance.