

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3066

To amend title 10, United States Code, to provide congressional consent for the employment of retired members of the Armed Forces of the United States by governments of newly democratic nations.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 1993

Mr. KYL (for himself and Mr. DURBIN) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to provide congressional consent for the employment of retired members of the Armed Forces of the United States by governments of newly democratic nations.

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. EMPLOYMENT OF RETIRED MEMBERS OF UNI-**

4 **FORMED SERVICES BY CERTAIN FOREIGN**

5 **GOVERNMENTS.**

6 (a) FINDINGS.—The Congress makes the following  
7 findings:

1 (1) It is in the national security interest of the  
2 United States to promote democracy throughout the  
3 world.

4 (2) The armed forces of newly democratic na-  
5 tions often lack the democratic traditions that are a  
6 hallmark of the Armed Forces of the United States.

7 (3) The understanding of military roles and  
8 missions in a democracy is essential for the develop-  
9 ment and preservation of democratic forms of gov-  
10 ernment.

11 (4) The service of retired members of the  
12 Armed Forces of the United States in the armed  
13 forces of newly democratic nations could lead to a  
14 better understanding of military roles and missions  
15 in a democracy.

16 (b) CONGRESSIONAL CONSENT.—(1) Chapter 53 of  
17 title 10, United States Code, is amended by adding at the  
18 end the following new section:

19 **“§1058. Military service with newly democratic na-**  
20 **tions: congressional consent for retired**  
21 **members**

22 “(a) CONGRESSIONAL CONSENT.—Subject to sub-  
23 section (b), Congress consents to a retired member of the  
24 uniformed services referred to in subsection (b)—

1           “(1) accepting employment by, or holding an of-  
2           fice or position in, the armed forces of a newly  
3           democratic nation; and

4           “(2) accepting compensation associated with  
5           that employment, office, or position.

6           “(b) DETERMINATIONS AND APPROVAL RE-  
7           QUIRED.—(1) The Secretary concerned and the Secretary  
8           of State shall jointly determine whether a nation is a newly  
9           democratic nation for the purposes of this section.

10          “(2) The consent provided in subsection (a) for a re-  
11          tired member of the uniformed services to accept employ-  
12          ment or hold an office or position shall apply to a retired  
13          member of the armed forces only if the Secretary con-  
14          cerned and the Secretary of State jointly approve the em-  
15          ployment or the holding of such office or position.

16          “(c) CONTINUED ENTITLEMENT TO RETIRED PAY  
17          AND BENEFITS.—The eligibility of a retired member of  
18          the uniformed services to receive retired or retainer pay  
19          and other benefits arising from the retired member’s sta-  
20          tus as a retired member of the uniformed services, and  
21          the eligibility of dependents of such retired member to re-  
22          ceive benefits on the basis of such retired member’s status  
23          as a retired member of the uniformed services, may not  
24          be terminated by reason of employment or holding of an  
25          office or position consented to in subsection (a).

1       “(d) RETIRED MEMBER DEFINED.—In this section,  
2 the term ‘retired member of the uniformed services’ means  
3 a member or former member of the uniformed services  
4 who is entitled to receive retired or retainer pay.”.

5       (2) The table of sections at the beginning of chapter  
6 53 of such title is amended by adding at the end the fol-  
7 lowing:

      “1058. Military service with newly democratic nations: congressional consent for  
          retired members.”.

8       (c) EFFECTIVE DATE.—Section 1058 of title 10,  
9 United States Code, as added by subsection (a), shall take  
10 effect as of January 1, 1993.

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