

109TH CONGRESS
2D SESSION

H. R. 5963

To modify certain post-employment restrictions with respect to officers and employees of the Department of Homeland Security.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2006

Mr. DEFAZIO (for himself, Mr. THOMPSON of Mississippi, Mr. WAXMAN, and Mr. CONYERS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To modify certain post-employment restrictions with respect to officers and employees of the Department of Homeland Security.

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 “Close the Revolving
5 Door Act”.

6 **SEC. 2. POST-EMPLOYMENT RESTRICTIONS.**

7 (a) CLARIFICATION.—The reference, in section
8 207(c)(1) of title 18, United States Code, to “within 1
9 year before such termination”, as applied to officers and

1 employees of the Department of Homeland Security,
2 means “at any time during the 1-year period before such
3 termination”.

4 (b) REQUESTS FOR WAIVERS BARRED.—Neither the
5 Department of Homeland Security nor any agency thereof
6 may request a waiver of restrictions under section
7 207(c)(2)(C) of title 18, United States Code.

8 (c) APPLICABILITY TO AGENTS.—The restrictions
9 contained in subsections (a), (b), (c), and (d) of section
10 207 of title 18, United States Code, as applied to a former
11 officer or employee of the Department of Homeland Secu-
12 rity, and the penalties for violating those restrictions, also
13 apply to any person who makes a communication or ap-
14 pearance on behalf of that former officer or employee that
15 would be prohibited under subsection (a), (b), (c), or (d),
16 as the case may be, if made by the former officer or em-
17 ployee.

18 (d) DESIGNATIONS AS SEPARATE AGENCIES AND BU-
19 REAUS BARRED.—No agency, bureau, or other entity of
20 the Department of Homeland Security may be designated
21 under section 207(h)(1) of title 18, United States Code,
22 as a separate agency or bureau.

23 (e) EFFECTIVE DATE.—

24 (1) IN GENERAL.—This section takes effect on
25 the date of the enactment of this Act.

1 (2) APPLICABILITY TO FORMER OFFICERS AND
2 EMPLOYEES.—Subsections (a) and (c) apply to com-
3 munications and appearances made on or after the
4 date of the enactment of this Act by or on behalf of
5 an individual whose service as an officer or employee
6 terminates before, on, or after such date of enact-
7 ment.

8 (3) APPLICABILITY TO DESIGNATIONS.—The
9 following shall cease to be effective on the date of
10 the enactment of this Act:

11 (A) Any waiver of restrictions made under
12 section 207(e)(2)(C) of title 18, United States
13 Code, before the enactment of this Act, with re-
14 spect to any position, or category of positions,
15 in the Department of Homeland Security.

16 (B) Any designation of an agency, bureau,
17 or other entity in the Department of Homeland
18 Security, before the enactment of this Act,
19 under section 207(h)(1) of title 18, United
20 States Code, as a separate agency or bureau.

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