

Ethical Separation in Government Act

Section 1. Short Title

This Act may be cited as the "Ethical Separation in Government Act."

Section 2. Purpose

To restore public trust in the legislative process by preventing former Members of Congress and senior staff from engaging in lobbying or influence-related activities that create conflicts of interest, particularly in areas where they held oversight responsibilities.

Section 3. Definitions

For the purposes of this Act:

1. Lobbying Activities: Includes, but is not limited to:

- Any communication, arrangement, meeting, strategy, or coordination made for the purpose of influencing legislation, regulation, federal contracts, grants, or policies of any federal agency.
- Includes registered and unregistered lobbying.
- Includes behind-the-scenes activities such as advising, strategizing, facilitating access, preparing testimony, or ghostwriting communications to Congress or federal agencies.

2. Covered Individual:

- Any individual who has served as a Member of the U.S. House of Representatives or U.S. Senate.
- Any senior congressional staff, defined as:
 - Chiefs of staff, legislative directors, committee staff directors and counsel, and any staffer who made \$130,000 or more in the previous calendar year while serving in a congressional office or committee.

3. Industry or Institution of Oversight:

- Any business, trade association, nonprofit, government contractor, regulated entity, or sector:
 - Over which the Covered Individual had oversight by virtue of committee membership, bill sponsorship, public hearings, or legislative reports.
 - That was materially impacted by legislation the Covered Individual voted on, authored, or publicly supported.

- Includes parent companies, subsidiaries, affiliates, and industry associations.

Section 4. Prohibited Activities

(a) General Cooling-Off Period - 5 Years

No Covered Individual may engage in any lobbying activities before Congress, its committees, or any federal agency for five (5) years after leaving office or employment.

(b) Enhanced Cooling-Off Period - 10 Years

No Covered Individual may engage in lobbying activities on behalf of, or related to, any industry, institution, or organization over which they had oversight or legislative involvement for a period of ten (10) years after leaving office or employment.

(c) Employment Disclosure Requirement

Covered Individuals must file a Post-Service Employment Disclosure Form with the Office of Congressional Ethics within 30 days of accepting any paid position for a period of 10 years following their departure.

This form shall include:

- Employer name and description of services
- Whether the employer is engaged in federal lobbying or contracts
- Affirmation of compliance with this Act

The disclosures shall be publicly available on an online searchable database.

(d) Advisory Roles Prohibited

Covered Individuals are prohibited from:

- Providing advice or strategic guidance to lobbying firms, contractors, regulated industries, or trade associations regarding legislative or regulatory influence.
- Participating in behind-the-scenes preparation of lobbying materials, arguments, or messaging for others.

Section 5. Enforcement and Penalties

(a) Enforcement Authority

This Act shall be enforced by the Office of Congressional Ethics (OCE) in coordination with the Department of Justice. A dedicated Post-Service Ethics Compliance Division (PSECD) shall be established.

(b) Whistleblower Provision

Individuals may file confidential complaints with the PSECD regarding potential violations of this Act. Whistleblowers shall be protected under federal whistleblower statutes and may be eligible for awards if violations are proven.

(c) Civil Penalties

Violations of this Act may result in:

- Civil fines of up to \$500,000 per violation
- A ban on future federal lobbying for up to 15 years
- Public disclosure of the violation and enforcement outcome

Section 6. Severability

If any provision of this Act is held unconstitutional or otherwise invalid, the remaining provisions shall not be affected.

Section 7. Effective Date

This Act shall apply to all Covered Individuals who leave office or government employment on or after January 1, 20__.