

119TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend title 18, United States Code, to modify the definition of special Government employee, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Ms. WARREN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 18, United States Code, to modify the definition of special Government employee, 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 “SGE Ethics Enforce-  
5 ment Reform Act of 2025” or the “SEER Act 2025”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Some special Government employees have  
9 substantial financial conflicts of interest due to their  
10 other business activities while in Federal service.

1           (2) Special Government employees are subject  
2           to the criminal conflict-of-interest statute applicable  
3           to full-time Government employees, section 208 of  
4           title 18, United States Code. However, Federal em-  
5           ployees, including special Government employees, do  
6           not have to resolve conflicts under that provision if  
7           the relevant work does not constitute a particular  
8           matter.

9           (3) Unlike senior executive branch employees  
10          under chapter 131 of title 5, United States Code,  
11          the vast majority of special Government employees  
12          are not required to make their financial disclosure  
13          reports public, thus concealing from the public their  
14          potential financial conflicts of interest.

15          (4) The vast majority of special Government  
16          employees in the Federal Government serve on advi-  
17          sory committees and have a limited role in Govern-  
18          ment decision-making. But a select number of spe-  
19          cial Government employees have assumed authority  
20          within the Federal Government commensurate with  
21          a senior or very senior full-time Federal employee.

22          (5) The executive branch has not notified the  
23          public or Congress when it uses special Government  
24          employees to perform high-level responsibilities.

1           (6) The executive branch has permitted employ-  
2           ees to retain special Government employee status be-  
3           yond the statutory limit of 130 days during any pe-  
4           riod of 365 consecutive days.

5 **SEC. 3. CONFLICTS OF INTEREST.**

6           Title 18, United States Code, is amended—

7           (1) in section 202(a), in the first sentence, by  
8           inserting “and who has been designated as a special  
9           Government employee on a Notification of Personnel  
10          Action (Standard Form 50 or equivalent) of the offi-  
11          cer or employee,” after “basis,”; and

12          (2) in section 208—

13                (A) in subsection (a)—

14                   (i) by striking “(a) Except” and in-  
15                   serting “(a)(1) Except”; and

16                   (ii) by adding at the end the fol-  
17                   lowing:

18           “(2) In the case of a special Government employee  
19           who is not on an advisory committee or who serves as the  
20           chair or vice chair of an advisory committee, paragraph  
21           (1) shall apply to a discrete and identifiable component  
22           of a matter that on its own would constitute a particular  
23           matter in which, to the knowledge of the special Govern-  
24           ment employee, the organization in which the special Gov-

1 ernment employee is serving as officer, director, trustee,  
2 general partner, or employee has a financial interest.”;

3 (B) in subsection (b)—

4 (i) in paragraph (1), by inserting “,  
5 with the concurrence of a designated offi-  
6 cial at the Office of Government Ethics if  
7 the officer or employee is a special Govern-  
8 ment employee,” after “such official”; and

9 (ii) in paragraph (3), by inserting “,  
10 other than the chair or vice chair of the  
11 committee,” after “committee”;

12 (C) in subsection (d)—

13 (i) in paragraph (1), in the first sen-  
14 tence, by striking “Upon” and inserting  
15 “Except as provided in paragraph (2),  
16 upon”;

17 (ii) by redesignating paragraph (2) as  
18 paragraph (3); and

19 (iii) by inserting after paragraph (1)  
20 the following:

21 “(2) In the case of a special Government employee  
22 who is not serving on an advisory committee within the  
23 meaning of chapter 10 of title 5 or a special Government  
24 employee who is serving as chair or vice chair on such  
25 an advisory committee, any waiver or exemption granted

1 under subsection (b)(1) shall be proactively made publicly  
2 available via a searchable online database not later than  
3 14 days after the date on which the waiver is issued.”.

4 **SEC. 4. RESTRICTION ON COMMUNICATIONS WITH AGEN-**  
5 **CIES.**

6 (a) DEFINITION.—In this section, the term “large  
7 company” means—

8 (1) any for-profit company that has greater  
9 than an average of \$1,000,000,000 in market cap-  
10 italization or revenue for the previous 3-year period;

11 (2) any Federal contractor that received greater  
12 than \$100,000,000 in annual revenue from the Fed-  
13 eral Government during the previous 3-year period;  
14 and

15 (3) any for-profit company that exerts monopo-  
16 listic or monopsonistic control over a significant  
17 share of the market in its particular industry, as de-  
18 fined by regulation by the Director of the Office of  
19 Government Ethics, in consultation with the Attor-  
20 ney General.

21 (b) RESTRICTION.—No special Government em-  
22 ployee, as defined in section 202 of title 18, United States  
23 Code, who is not on an advisory committee or a chair or  
24 vice chair on an advisory committee may have direct or  
25 indirect communications in their official capacity with an

1 agency or office that contracts with, regulates, or has a  
2 pending enforcement action against a large company—

3 (1) that the special Government employee owns;

4 or

5 (2) for which the special Government employee  
6 serves as a senior executive or director.

7 (c) REGULATIONS.—The Office of Government Eth-  
8 ics shall promulgate regulations carrying out this section,  
9 including to define ownership of a large company.

10 **SEC. 5. DATABASE OF SPECIAL GOVERNMENT EMPLOYEES.**

11 Section 1103 of title 5, United States Code, is  
12 amended by adding at the end the following:

13 “(d)(1) In this subsection, the term ‘covered indi-  
14 vidual’—

15 “(A) means an individual who is a special Gov-  
16 ernment employee who is not serving on an advisory  
17 committee; and

18 “(B) does not include an individual described in  
19 paragraph (1) or (2) of section 13107(a).

20 “(2) The Director, in coordination with the Office of  
21 Government Ethics, shall maintain to the extent tech-  
22 nically practicable, keep current, and make available to the  
23 public over the internet, without a fee or other access  
24 charge, in a searchable, sortable, and downloadable man-  
25 ner, an electronic database that contains the name of each

1 covered individual, a rolling tally of the number of days  
2 the person has served as a special Government employee,  
3 and a description of why the individual was designated as  
4 a special Government employee rather than a regular em-  
5 ployee.”.

6 **SEC. 6. FINANCIAL DISCLOSURE REQUIREMENTS OF SPE-**  
7 **CIAL GOVERNMENT EMPLOYEES.**

8 Title 5, United States Code, is amended—

9 (1) in section 13103(f)—

10 (A) in paragraph (8), by striking “(other  
11 than a special Government employee)”;

12 (B) in paragraph (11), by striking “and at  
13 the end”;

14 (C) in paragraph (12), by striking the pe-  
15 riod at the end and inserting “; and”; and

16 (D) by adding at the end the following:

17 “(13) A special Government employee who—

18 “(A) is not serving on an advisory com-  
19 mittee or is serving as a chair or vice chair on  
20 an advisory committee; and

21 “(B) is not serving in a position classified  
22 as a general schedule position at the GS-9 level  
23 or below, with limited responsibilities, closely  
24 supervised by a career Federal employee.

1           “(14) For any special Government employee  
2           claiming an exemption from filing a public report  
3           this subsection, the relevant agency ethics officer  
4           shall review to ensure the exemption may be prop-  
5           erly applied to that special Government employee.”;  
6           and

7           (2) in section 13109(a)(1), by inserting “, ex-  
8           cept as provided in section 13103(f)(13),” after  
9           “title 18”).

10 **SEC. 7. MODIFICATIONS OF ONLINE ACCESS TO CERTAIN**  
11 **FINANCIAL DISCLOSURE STATEMENTS AND**  
12 **RELATED FORMS.**

13           Section 1(a)(2) of the Act entitled “An Act to modify  
14 the requirements under the STOCK Act regarding online  
15 access to certain financial disclosure statements and re-  
16 lated forms”, approved April 15, 2013 (5 U.S.C. 13107  
17 note) is amended by adding at the end the following:

18           “(F) Any special Government employee of  
19           the executive branch who—

20                   “(i) is not serving on an advisory  
21                   committee or is serving as a chair or vice  
22                   chair on an advisory committee; or

23                   “(ii) is not serving in a position classi-  
24                   fied as a general schedule position at the  
25                   GS–9 level or below, with limited respon-

1                   sibilities, closely supervised by a career  
2                   Federal employee.”.

3 **SEC. 8. SPECIAL GOVERNMENT EMPLOYEE RULE.**

4           (a) IN GENERAL.—Except as provided in subsection  
5 (b), in the case of a special Government employee, as de-  
6 fined in section 202 of title 18, United States Code, who  
7 has served in their department or agency for more than  
8 60 days during the immediately preceding period of 365  
9 consecutive days, all Federal ethics rules shall apply to  
10 such special Government employee to the same extent that  
11 such rules apply to regular Government employees.

12           (b) EXCEPTION.—In the case of a special Govern-  
13 ment employee, as defined in section 202 of title 18,  
14 United States Code, who has served in their department  
15 or agency for more than 130 during the immediately pre-  
16 ceding period of 365 consecutive days, section 209 of title  
17 18, United States Code, and subchapter III of chapter 131  
18 of title 5, United States Code, shall apply to such special  
19 Government employee to the same extent that the section  
20 applies to regular Government employees, except that such  
21 section 209 shall apply whether the special Government  
22 employee serves with or without pay.