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The Constitution's Emoluments Clause Was Never Intended To Apply to Military Retirees.

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The United States Constitution provides:

No Title of Nobility shall be granted by the United States; And no Person holding any Office of Profit or Trust under them shall, without the Consent of the Congress, accept any present, Emolument, Office, or Title, of any kind whatsoever, from any King, Prince, or foreign State.¹

It is most unlikely that anyone participating in the drafting or ratification of the Constitution ever considered the possibility that the Emoluments Clause would apply to Retired Uniformed Services Personnel (RUSP). Military retirement did not exist until the Civil War, three generations later.

I propose that Congress enact legislation exempting uniformed services retirees from the requirement to obtain prior approval before accepting jobs with foreign governments. The legislation I am proposing would benefit not only retired military personnel but foreign countries, which would benefit from having the expertise of our retired military personnel. Such people have a variety of skills. In addition to warfare related skills, their skills cover all professions including medicine, law, science, and engineering, to name just a few.

¹ United States Constitution, Article I, Section 9, Clause 8. Yes, it is capitalized in just that way, in the style of the late 18th Century. This Clause is called the "Emoluments Clause."

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