To amend the Foreign Agents Registration Act of 1938 to prohibit certain individuals from service as an agent of a foreign principal, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GALLAGHER (for himself and Mr. GOLDEN) introduced the following bill; which was referred to the Committee on ____________________

A BILL

To amend the Foreign Agents Registration Act of 1938 to prohibit certain individuals from service as an agent of a foreign principal, and for other purposes.

1 Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Congressional and Ex-

ductive Foreign Lobbying Ban Act”.

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April 26, 2021 (5:06 p.m.)
SEC. 2. PROHIBITING CERTAIN INDIVIDUALS FROM ACTING AS AGENTS OF FOREIGN PRINCIPALS.

(a) FORMER MEMBERS OF CONGRESS; GENERAL OR FLAG OFFICERS OF ARMED FORCES.—

(1) PROHIBITING REGISTRATION AS AGENT.—

The Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.) is amended—

(A) by redesignating sections 12 through 14 as sections 13 through 15; and

(B) by inserting after section 11 the following new section:

“SEC. 12. PROHIBITING REGISTRATION OF CERTAIN INDIVIDUALS.

“(a) PROHIBITION.—No individual may register under this Act or otherwise serve as the agent of a foreign principal if the individual at any time served as a Member of Congress, as a senior political appointee, or as a general or flag officer of the armed forces.

“(b) DEFINITIONS.—In this section—

“(1) the term ‘Member of Congress’ means a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress; and

“(2) the term ‘senior political appointee’—

“(A) means—
“(i) any individual occupying a full-time senior position and who is appointed by the President or the Vice President;

“(ii) any noncareer appointee in the Senior Executive Service (or other SES-type system); and

“(iii) any appointee to a position, at or above the level of a noncareer member of the Senior Executive Service, that has been excepted from the competitive service by reason of being of a confidential or policymaking character (schedule C and other positions excepted under comparable criteria) in an executive agency; and

“(B) does not include any individual appointed as a member of the Senior Foreign Service or, except for a general or flag officer of the armed forces, solely as a uniformed service commissioned officer.”.

(2) OTHER REPRESENTATION OF FOREIGN ENTITIES.—Section 207(f)(1) of title 18, United States Code, is amended by inserting after “within 1 year” the following: “(or, in the case of a person who is subject to any of such restrictions and who is a Member of Congress, a senior political appointee (as
that term is defined in section 12 of the Foreign 
Agents Registration Act of 1938, as amended (22 
U.S.C. 611 et seq.), or a general or flag officer of 
the armed forces, at any time)
’’.

(b) EFFECTIVE DATE.—The amendments made by 
subsection (a) shall apply with respect to any individual 
whose service as a Member of Congress or as a general 
or flag officer of the armed forces terminates on or after 
the date of the enactment of this Act.