

117TH CONGRESS
1ST SESSION

H. R. 1419

To amend the Foreign Agents Registration Act of 1938 to establish a separate unit within the Department of Justice for the investigation and enforcement of such Act, to provide the Attorney General with the authority to impose civil money penalties for violations of such Act, and to require agents of foreign principals who are registered under such Act to disclose transactions involving things of financial value conferred on officeholders.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2021

Ms. OMAR (for herself, Ms. NORTON, and Ms. PRESSLEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Foreign Agents Registration Act of 1938 to establish a separate unit within the Department of Justice for the investigation and enforcement of such Act, to provide the Attorney General with the authority to impose civil money penalties for violations of such Act, and to require agents of foreign principals who are registered under such Act to disclose transactions involving things of financial value conferred on officeholders.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protect Against Un-
3 lawful Lobbying (PAUL) Act of 2021”.

4 **SEC. 2. ESTABLISHMENT OF FARA INVESTIGATION AND EN-
5 FORCEMENT UNIT WITHIN DEPARTMENT OF
6 JUSTICE.**

7 Section 8 of the Foreign Agents Registration Act of
8 1938, as amended (22 U.S.C. 618) is amended by adding
9 at the end the following new subsection:

10 “(i) DEDICATED ENFORCEMENT UNIT.—

11 “(1) ESTABLISHMENT.—Not later than 180
12 days after the date of enactment of this subsection,
13 the Attorney General shall establish a unit within
14 the counterespionage section of the National Secu-
15 rity Division of the Department of Justice with re-
16 sponsibility for the enforcement of this Act.

17 “(2) POWERS.—The unit established under this
18 subsection is authorized to—

19 “(A) take appropriate legal action against
20 individuals suspected of violating this Act; and

21 “(B) coordinate any such legal action with
22 the United States Attorney for the relevant ju-
23 risdiction.

24 “(3) CONSULTATION.—In operating the unit es-
25 tablished under this subsection, the Attorney Gen-
26 eral shall, as appropriate, consult with the Director

1 of National Intelligence, the Secretary of Homeland
2 Security, and the Secretary of State.

3 “(4) AUTHORIZATION OF APPROPRIATIONS.—

4 There are authorized to be appropriated to carry out
5 the activities of the unit established under this sub-
6 section \$10,000,000 for fiscal year 2021 and each
7 succeeding fiscal year.”.

8 **SEC. 3. AUTHORITY TO IMPOSE CIVIL MONEY PENALTIES.**

9 (a) ESTABLISHING AUTHORITY.—Section 8 of the
10 Foreign Agents Registration Act of 1938, as amended (22
11 U.S.C. 618) is amended by inserting after subsection (c)
12 the following new subsection:

13 “(d) CIVIL MONEY PENALTIES.—

14 “(1) REGISTRATION STATEMENTS.—Whoever
15 fails to file timely or complete a registration state-
16 ment as provided under section 2(a) shall be subject
17 to a civil money penalty of not more than \$10,000
18 per violation.

19 “(2) SUPPLEMENTS.—Whoever fails to file
20 timely or complete supplements as provided under
21 section 2(b) shall be subject to a civil money penalty
22 of not more than \$1,000 per violation.

23 “(3) OTHER VIOLATIONS.—Whoever knowingly
24 fails to—

1 “(A) remedy a defective filing within 60
2 days after notice of such defect by the Attorney
3 General; or

4 “(B) comply with any other provision of
5 this Act,

6 shall upon proof of such knowing violation by a pre-
7 ponderance of the evidence, be subject to a civil
8 money penalty of not more than \$200,000, depend-
9 ing on the extent and gravity of the violation.

10 “(4) NO FINES PAID BY FOREIGN PRIN-
11 CIPALS.—A civil money penalty paid under para-
12 graph (1) may not be paid, directly or indirectly, by
13 a foreign principal.

14 “(5) USE OF FINES.—All civil money penalties
15 collected under this subsection shall be used to de-
16 fray the cost of the enforcement unit established
17 under subsection (i).”.

18 (b) EFFECTIVE DATE.—The amendment made by
19 subsection (a) shall take effect on the date of the enact-
20 ment of this Act.

21 **SEC. 4. DISCLOSURE OF TRANSACTIONS INVOLVING**
22 **THINGS OF FINANCIAL VALUE CONFERRED**
23 **ON OFFICEHOLDERS.**

24 (a) REQUIRING AGENTS TO DISCLOSE KNOWN
25 TRANSACTIONS.—

1 (1) IN GENERAL.—Section 2(a) of the Foreign
2 Agents Registration Act of 1938, as amended (22
3 U.S.C. 612(a)) is amended—

4 (A) by redesignating paragraphs (10) and
5 (11) as paragraphs (11) and (12); and

6 (B) by inserting after paragraph (9) the
7 following new paragraph:

8 “(10) To the extent that the registrant has
9 knowledge of any transaction which occurred in the
10 preceding 60 days and in which the foreign principal
11 for whom the registrant is acting as an agent con-
12 ferred on a Federal or State officeholder any thing
13 of financial value, including a gift, profit, salary, fa-
14 vorable regulatory treatment, or any other direct or
15 indirect economic or financial benefit, a detailed
16 statement describing each such transaction.”.

17 (2) EFFECTIVE DATE.—The amendments made
18 by paragraph (1) shall apply with respect to state-
19 ments filed on or after the expiration of the 90-day
20 period which begins on the date of the enactment of
21 this Act.

22 (b) SUPPLEMENTAL DISCLOSURE FOR CURRENT
23 REGISTRANTS.—Not later than the expiration of the 90-
24 day period which begins on the date of the enactment of
25 this Act, each registrant who (prior to the expiration of

1 such period) filed a registration statement with the Attor-
2 ney General under section 2(a) of the Foreign Agents Reg-
3 istration Act of 1938, as amended (22 U.S.C. 612(a)) and
4 who has knowledge of any transaction described in para-
5 graph (10) of section 2(a) of such Act (as added by sub-
6 section (a)(1)) which occurred at any time during which
7 the registrant was an agent of the foreign principal in-
8 volved, shall file with the Attorney General a supplement
9 to such statement under oath, on a form prescribed by
10 the Attorney General, containing a detailed statement de-
11 scribing each such transaction.

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