AMENDMENT TO
RULES COMMITTEE PRINT 115–70
OFFERED BY MR. CASTRO OF TEXAS

Page 543, insert after line 5 the following:

SEC. 1086. PROHIBITING HEADS OF ELEMENTS OF INTELLIGENCE COMMUNITY FROM ACTING AS AGENTS OF FOREIGN PRINCIPALS.

(a) SHORT TITLE.—This section may be cited as the “Intelligence Directors Lobbying Prevention Act”.

(b) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) President Donald J. Trump issued an Executive Order on January 28, 2017, entitled “Ethics Commitments by Executive Branch Appointees”, paragraph (4) of which requires Executive Branch appointees to contractually commit to the following: “I will not, at any time after the termination of my employment in the United States Government, engage in any activity on behalf of any foreign government or foreign political party which, were it undertaken on January 20, 2017, would require me to reg-
ister under the Foreign Agents Registration Act of 1938, as amended.”.

(B) To the extent that paragraph (4) of this Executive Order has no time restriction, the Executive Order amounts to a lifetime ban on lobbying on behalf of a foreign principal by employees of the executive branch.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) The United States intelligence community provides the backbone of security for the United States, and its members contribute daily to the safety, security, and well-being of Americans worldwide.

(B) Leaders of the intelligence community, whether political or civilian appointees, should be held to the highest of ethical standards.

(C) Given recent revelations regarding previous heads of elements of the intelligence community lobbying on behalf of foreign principals, Congress should codify and expand the Executive Order signed by President Trump on January 28, 2017, so that it applies to the heads of elements of the intelligence community.

(e) PROHIBITION.—
(1) PROHIBITION.—The Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.), as amended is amended by adding at the end the following new section:

“SEC. 12. PROHIBITING REGISTRATION BY FORMER HEADS OF ELEMENTS OF INTELLIGENCE COMMUNITY.

“(a) PROHIBITION.—No individual may register under this Act or otherwise serve as the agent of a foreign principal, including by engaging in lobbying activity on behalf of a foreign entity under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.), if the individual at any time served as the head of an element of the intelligence community.

“(b) ANNUAL REPORT.—On an annual basis, the Director of National Intelligence, in coordination with the head of each element of the intelligence community, shall submit to Congress a report on the compliance of former heads of such elements with respect to the prohibition under subsection (a).

“(c) DEFINITION.—In this section, the term ‘element of the intelligence community’ means each agency included in paragraph (4) of section 3 of the National Security Act of 1947 (50 U.S.C. 3003(4)), and includes the National
Counterterrorism Center and the National Counterpro-
lifeCenter.”.

(2) EFFECTIVE DATE.—The amendment made
by paragraph (1) shall apply with respect to any in-
dividual who, on or after the date of the enactment
of this Act, serves as the head of an element of the
intelligence community as described in section 12 of
the Foreign Agents Registration Act of 1938, as
amended, as added by paragraph (1).