

AMENDMENT TO
RULES COMMITTEE PRINT 116-35
OFFERED BY MS. OMAR OF MINNESOTA

Page 54, insert after line 14 the following:

1 **Subtitle C—Promoting Enforce-**
2 **ment of Foreign Agents Reg-**
3 **istration Act**

4 **SEC. 321. ESTABLISHMENT OF FARA INVESTIGATION AND**
5 **ENFORCEMENT UNIT WITHIN DEPARTMENT**
6 **OF 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—

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

3 “(B) coordinate any such legal action with
4 the United States Attorney for the relevant ju-
5 risdiction.

6 “(3) CONSULTATION.—In operating the unit es-
7 tablished under this subsection, the Attorney Gen-
8 eral shall, as appropriate, consult with the Director
9 of National Intelligence, the Secretary of Homeland
10 Security, and the Secretary of State.

11 “(4) AUTHORIZATION OF APPROPRIATIONS.—
12 There are authorized to be appropriated to carry out
13 the activities of the unit established under this sub-
14 section \$10,000,000 for fiscal year 2019 and each
15 succeeding fiscal year.”.

16 **SEC. 322. AUTHORITY TO IMPOSE CIVIL MONEY PENALTIES.**

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

21 “(d) CIVIL MONEY PENALTIES.—

22 “(1) REGISTRATION STATEMENTS.—Whoever
23 fails to file timely or complete a registration state-
24 ment as provided under section 2(a) shall be subject

1 to a civil money penalty of not more than \$10,000
2 per violation.

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

7 “(3) OTHER VIOLATIONS.—Whoever knowingly
8 fails to—

9 “(A) remedy a defective filing within 60
10 days after notice of such defect by the Attorney
11 General; or

12 “(B) comply with any other provision of
13 this Act,

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

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

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

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

4 **SEC. 323. DISCLOSURE OF TRANSACTIONS INVOLVING**
5 **THINGS OF FINANCIAL VALUE CONFERRED**
6 **ON OFFICEHOLDERS.**

7 (a) REQUIRING AGENTS TO DISCLOSE KNOWN
8 TRANSACTIONS.—

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

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

14 (B) by inserting after paragraph (9) the
15 following new paragraph:

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

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

6 (b) SUPPLEMENTAL DISCLOSURE FOR CURRENT
7 REGISTRANTS.—Not later than the expiration of the 90-
8 day period which begins on the date of the enactment of
9 this Act, each registrant who (prior to the expiration of
10 such period) filed a registration statement with the Attor-
11 ney General under section 2(a) of the Foreign Agents Reg-
12 istration Act of 1938, as amended (22 U.S.C. 612(a)) and
13 who has knowledge of any transaction described in para-
14 graph (10) of section 2(a) of such Act (as added by sub-
15 section (a)(1)) which occurred at any time during which
16 the registrant was an agent of the foreign principal in-
17 volved, shall file with the Attorney General a supplement
18 to such statement under oath, on a form prescribed by
19 the Attorney General, containing a detailed statement de-
20 scribing each such transaction.

