

117TH CONGRESS  
1ST SESSION

# H. R. 1267

To amend title 18, United States Code, to prohibit corrupt foreign influence over the President, the Vice President, and their immediate family members, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2021

Mr. SWALWELL introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 18, United States Code, to prohibit corrupt foreign influence over the President, the Vice President, and their immediate family members, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prevent Corrupting  
5 Foreign Influence Act”.

1 **SEC. 2. FOREIGN INFLUENCE OVER THE PRESIDENT AND**  
2 **VICE PRESIDENT.**

3 (a) IN GENERAL.—Chapter 11 of title 18, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing:

6 **“§ 227A. Foreign influence over the President and**  
7 **Vice President**

8 “(a) PROHIBITION.—Except as provided in sub-  
9 section (b), whoever, being a covered person or covered  
10 entity, knowingly—

11 “(1) accepts anything of value from a foreign  
12 state or foreign entity; or

13 “(2) receives anything of value from a foreign  
14 state or foreign entity,

15 shall be fined under this title, imprisoned not more than  
16 5 years, or both.

17 “(b) EXCEPTIONS.—Subsection (a) shall not apply—

18 “(1) in the case of any investment by a foreign  
19 state or entity in a mutual fund, which includes a  
20 covered entity in its portfolio;

21 “(2) in the case of any investment by a foreign  
22 state or entity in an asset held in a blind trust on  
23 behalf of a covered person;

24 “(3) in the case that the thing accepted or re-  
25 ceived is of minimal value, and any other thing or  
26 things accepted or received by such covered person

1 or covered entity from such foreign state or foreign  
2 entity during that calendar year do not exceed mini-  
3 mal value; or

4 “(4) in any case in which the covered person  
5 acted in accordance with section 7342 of title 5 or  
6 the Mutual Education and Cultural Exchange Act of  
7 1961 (22 U.S.C. 2451 et seq.).

8 “(c) DEFINITIONS.—In this section:

9 “(1) The term ‘covered person’ means the  
10 President, Vice President, and their immediate fam-  
11 ily members.

12 “(2) The term ‘covered entity’ means any entity  
13 in which a covered person has not less than a 50  
14 percent ownership interest.

15 “(3) The term ‘immediate family member’  
16 means, with respect to the President or Vice Presi-  
17 dent, a parent, parent-in-law, spouse, child, or sib-  
18 ling of the President or Vice President.

19 “(4) The term ‘foreign entity’ means any entity  
20 in which a foreign state has not less than a 50 per-  
21 cent ownership interest.

22 “(5) The term ‘minimal value’ has the meaning  
23 given that term in section 7342(a)(5) of title 5.”.

24 (b) CLERICAL AMENDMENT.—The table of sections  
25 for chapter 11 of title 18, United States Code, is amended

1 by inserting after the item related to section 227 the fol-  
2 lowing:

“227A. Foreign influence over the President and Vice President.”.

3 **SEC. 3. RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND**  
4 **DECORATIONS.**

5 Section 7342(a)(1) of title 5, United States Code, is  
6 amended—

7 (1) in subparagraph (F), by striking “and” at  
8 the end; and

9 (2) by inserting after subparagraph (G) the fol-  
10 lowing:

11 “(H) a parent, parent-in-law, child, or sib-  
12 ling of the President or Vice President.”.

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