

117TH CONGRESS
2D SESSION

H. R. 9140

To prohibit persons from accepting compensation for serving as an agent of, or lobbyist for, a foreign adversary, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2022

Mr. WILSON of South Carolina (for himself, Mr. COHEN, Mr. BANKS, and Ms. SLOTKIN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit persons from accepting compensation for serving as an agent of, or lobbyist for, a foreign adversary, 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 “Stop Helping Adver-
5 saries Manipulate Everything Act” or the “SHAME Act”.

1 **SEC. 2. PROHIBITING AGENTS OF FOREIGN ADVERSARIES**
2 **FROM RECEIVING COMPENSATION FOR SERV-**
3 **ICES.**

4 (a) PROHIBITION.—The Foreign Agents Registration
5 Act of 1938 (22 U.S.C. 611 et seq.) is amended by insert-
6 ing after section 1 the following new section:

7 **“SEC. 1A. RESTRICTIONS ON AGENTS OF FOREIGN ADVER-**
8 **SARIES.**

9 “(a) PROHIBITING ACCEPTANCE OF COMPENSA-
10 TION.—No person may receive direct or indirect com-
11 pensation in any form, including intangible or in-kind, for
12 serving as the agent of—

13 “(1) a foreign principal which is a foreign ad-
14 versary;

15 “(2) the ruling party of a foreign principal
16 which is a foreign adversary; or

17 “(3) an agent or instrumentality of an entity
18 that is described in paragraph (1) or (2).

19 “(b) DEEMING CERTAIN PERSONS AS FOREIGN
20 PRINCIPALS WHICH ARE FOREIGN AGENTS.—A person
21 shall be considered for purposes of this Act to be an agent
22 of a foreign principal which is a foreign adversary if the
23 person is engaged to serve as an agent by any of the fol-
24 lowing:

25 “(1) A senior foreign political figure of a for-
26 eign adversary.

1 “(2) A corporation limited liability company, or
2 similar entity beneficially owned (as described in sec-
3 tion 5336(a)(3) of title 31, United States Code) by
4 a senior foreign political figure of a foreign adver-
5 sary.

6 “(3) A corporation, limited liability company, or
7 similar entity that is under the direction or control
8 in any way, whether directly or indirectly, and in-
9 cluding through a third party, of a senior foreign po-
10 litical figure of a foreign adversary.

11 “(4) Any entity owned or controlled by an enti-
12 ty described in paragraph (1) or (2).

13 “(c) PENALTY.—In addition to any other penalty
14 under this Act, any person who violates subsection (a)—

15 “(1) shall pay to the United States an amount
16 equal to the total compensation the person received
17 in violation of subsection (a); and

18 “(2) shall be subject to a fine of not more than
19 twice the amount paid under paragraph (1).

20 “(d) DEFINITIONS.—In this section—

21 “(1) the term ‘foreign adversary’, with respect
22 to the service of a person as an agent—

23 “(A) means a foreign government or for-
24 eign nongovernment person engaged in a long-
25 term pattern or serious instance of conduct sig-

1 significantly adverse to the national security of the
2 United States or its allies or the security and
3 safety of persons of the United States; and

4 “(B) includes the government of each
5 country that is treated as a foreign adversary
6 by the Secretary of Commerce pursuant to any
7 Executive order, regulation, or law which is in
8 effect at the time the person serves as the agent
9 of that country; and

10 “(2) the term ‘senior foreign political figure’
11 has the meaning given such term in section
12 1010.605 of title 31, Code of Federal Regulations,
13 or any successor regulation.”.

14 (b) REQUIRING SEPARATE REGISTRATION STATE-
15 MENTS.—Section 2 of such Act (22 U.S.C. 612) is amend-
16 ed by adding at the end of the following new subsection:

17 “(h) SEPARATE STATEMENTS REQUIRED FOR
18 AGENTS OF FOREIGN ADVERSARIES.—An agent of a for-
19 eign principal which is a foreign adversary as determined
20 under section 1A, shall submit separate registration state-
21 ments and supplements under this section with respect to
22 the agent’s service on behalf of such a foreign principal.”.

1 **SEC. 3. PROHIBITING LOBBYISTS FROM RECEIVING COM-**
2 **PENSATION FOR LOBBYING ACTIVITIES ON**
3 **BEHALF OF FOREIGN ADVERSARIES.**

4 (a) PROHIBITION.—The Lobbying Disclosure Act of
5 1995 (2 U.S.C. 1601) is amended by inserting after sec-
6 tion 5 the following new section:

7 **“SEC. 5A. PROHIBITING ACCEPTANCE OF COMPENSATION**
8 **FOR LOBBYING ACTIVITIES ON BEHALF OF**
9 **FOREIGN ADVERSARIES.**

10 “(a) PROHIBITION.—No person may receive direct or
11 indirect compensation in any form, including tangible or
12 in-kind, for carrying out lobbying activities on behalf of
13 a client which is—

14 “(1) a foreign adversary;

15 “(2) the ruling party of a foreign adversary;

16 “(3) an agent or instrumentality of an entity
17 described in paragraph (1) or (2); or

18 “(4) any entity owned or controlled by an entity
19 described in paragraph (1) or (2).

20 “(b) DEEMING CERTAIN PERSONS TO BE CARRYING
21 OUT LOBBYING ACTIVITIES.—A person shall be consid-
22 ered for purposes of this section to be carrying out lob-
23 bing activities on behalf of a client which is a foreign
24 adversary if the person is engaged to carry out such activi-
25 ties by any of the following:

1 “(1) A senior foreign political figure of a for-
2 eign adversary.

3 “(2) A corporation, limited liability company, or
4 similar entity beneficially owned (as described in sec-
5 tion 5336(a)(3) of title 31, United States Code) by
6 a senior foreign political figure of a foreign adver-
7 sary.

8 “(3) A corporation, limited liability company, or
9 similar entity that is under the direction or control
10 in any way, whether directly or indirectly and includ-
11 ing through a third party, of a senior foreign polit-
12 ical figure of a foreign adversary.

13 “(c) PENALTY.—In addition to any other penalty
14 under this Act, any person who violates subsection (a)—

15 “(1) shall pay to the United States an amount
16 equal to the total compensation the person received
17 in violation of subsection (a); and

18 “(2) shall be subject to a fine of not more than
19 twice the amount paid under paragraph (1).

20 “(d) DEFINITIONS.—In this section—

21 “(1) the term ‘foreign adversary’, with respect
22 to the service of a person who carries out lobbying
23 activities—

24 “(A) means a foreign government or for-
25 eign nongovernment person engaged in a long-

1 term pattern or serious instance of conduct sig-
2 nificantly adverse to the national security of the
3 United States or its allies or the security and
4 safety of persons of the United States; and

5 “(B) during the seven-year period begin-
6 ning on the date of the enactment of the
7 SHAME Act, includes the government of each
8 country, that as of January 1, 2022, was deter-
9 mined by the Secretary of Commerce to be a
10 ‘foreign adversary’ pursuant to Executive Order
11 13873; and

12 “(2) the term “senior foreign political figure”
13 has the meaning given such term in section
14 1010.605 of title 31, Code of Federal Regulations,
15 or any successor regulation.”.

16 (b) REQUIRING SEPARATE REGISTRATION STATE-
17 MENTS.—Section 5 of such Act (2 U.S.C. 1604) is amend-
18 ed by adding at the end of the following new subsection:

19 “(f) SEPARATE STATEMENTS REQUIRED FOR LOB-
20 BYING ACTIVITIES ON BEHALF OF FOREIGN ADVER-
21 SARIES.—A registrant who carries out lobbying activities
22 on behalf of a client which is a foreign adversary as deter-
23 mined under section 5A, shall submit separate registration
24 statements and supplements under this section with re-

- 1 spect to the registrant's service on behalf of such a foreign
- 2 principal.”.

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