

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2031

To amend title 18, United States Code, to prohibit certain former high level Government officials from representing foreign interests for 10 years, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 1995

Mr. ENGLISH of Pennsylvania (for himself, Mr. TRAFICANT, Mr. UPTON, Mr. LIPINSKI, Mr. POSHARD, Mr. KLUG, Mr. GENE GREEN of Texas, Mr. TAYLOR of Mississippi, and Mr. ENSIGN) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to prohibit certain former high level Government officials from representing foreign interests for 10 years, 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 “Trade Independence  
5       Act of 1995”.

1 **SEC. 2. POSTEMPLOYMENT RESTRICTIONS ON CERTAIN OF-**  
2 **FICIALS.**

3 Section 207(f) of title 18, United States Code, is  
4 amended—

5 (1) in paragraph (1) by striking “Any person”  
6 and inserting “Except as provided in paragraph (2),  
7 any person”; and

8 (2) by striking paragraphs (2) and (3) and in-  
9 serting the following:

10 “(2) SPECIAL RULES FOR CERTAIN OFFI-  
11 CIALS.—

12 “(A) Any person who serves in the position  
13 of United States Trade Representative, a com-  
14 missioner of the International Trade Commis-  
15 sion, or the Secretary of Commerce, and who,  
16 within 10 years after the termination of that  
17 person’s service in that position—

18 “(i) represents a foreign principal be-  
19 fore any officer or employee of any depart-  
20 ment or agency of the United States with  
21 the intent to influence a decision of such  
22 officer or employee in carrying out his or  
23 her official duties, or

24 “(ii) aids or advises a foreign prin-  
25 cipal with the intent to influence a decision  
26 of any officer or employee of any depart-

1           ment or agency of the United States in  
2           carrying out his or her official duties,  
3 shall be punished as provided in section 216 of  
4 this title.

5           “(B) Any person who is subject to the re-  
6 strictions contained in subsection (c) or (d) as  
7 an officer or employee of the International  
8 Trade Commission, of the Office of the United  
9 States Trade Representative, or of the Inter-  
10 national Trade Administration or the Bureau of  
11 Export Administration of the Department of  
12 Commerce and who, within 5 years after that  
13 person’s service as such officer or employee ter-  
14 minates—

15           “(i) represents a foreign principal be-  
16 fore any officer or employee of any depart-  
17 ment or agency of the United States with  
18 the intent to influence a decision of such  
19 officer or employee in carrying out his or  
20 her official duties, or

21           “(ii) aids or advises a foreign prin-  
22 cipal with the intent to influence a decision  
23 of any officer or employee of any depart-  
24 ment or agency of the United States in  
25 carrying out his or her official duties,

1 shall be punished as provided in section 216 of  
2 this title.

3 “(3) DEFINITIONS.—For purposes of this sub-  
4 section—

5 “(A) the term ‘foreign entity’ means the  
6 government of a foreign country as defined in  
7 section 1(e) of the Foreign Agents Registration  
8 Act of 1938, as amended, or a foreign political  
9 party as defined in section 1(f) of that Act; and

10 “(B) the term ‘foreign principal’ has the  
11 meaning given that term in section 1(b) of the  
12 Foreign Agents Registration Act of 1938, as  
13 amended.”.

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