

TRANSPARENCY IN REPORTING OF ADVERSARIAL  
CONTRIBUTIONS TO EDUCATION ACT

---

MARCH 5, 2025.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

---

Mr. WALBERG, from the Committee on Education and Workforce,  
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 1049]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Workforce, to whom was referred the bill (H.R. 1049) to ensure that parents are aware of foreign influence in their child's public school, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Transparency in Reporting of Adversarial Contributions to Education Act" or the "TRACE Act".

**SEC. 2. PARENTS' RIGHT TO KNOW ABOUT FOREIGN INFLUENCE.**

(a) IN GENERAL.—Subpart 2 of part F of title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7901 et seq.) is amended by adding at the end the following:

**"SEC. 8549D. PARENTS' RIGHT TO KNOW ABOUT FOREIGN INFLUENCE.**

"(a) IN GENERAL.—As a condition of receiving funds under this Act, a local educational agency shall ensure that each elementary school and each secondary school served by such agency provides to each parent of a child attending the school, at a minimum—

"(1) the right (in a manner consistent with copyright law) to review, and make copies of free of cost, at least every four weeks and not later than 30 days after submission of a written request by the parent, any curricular material or professional development material used at the school that was purchased, or

otherwise obtained, using funds received from the government of a foreign country or a foreign entity of concern;

“(2) the right to know, by written response provided not later than 30 days after submission of a written request by the parent, how many personnel of the school are compensated, in whole or in part, using funds received from the government of a foreign country or a foreign entity of concern; and

“(3) the right to know, by written response provided not later than 30 days after submission of a written request by the parent, of—

“(A) any donation received by the school or local educational agency from a foreign country or a foreign entity of concern;

“(B) any agreement in writing (such as a contract or memorandum of understanding) between the school or local educational agency and a foreign country or a foreign entity of concern; and

“(C) any financial transaction between the school or local educational agency and a foreign country or a foreign entity of concern.

“(b) DONATIONS, AGREEMENTS, AND FINANCIAL TRANSACTIONS.—The information described in subsection (a)(3) shall include, at minimum, the following:

“(1) The name of the foreign country or foreign entity of concern.

“(2) In any case in which funds were received by the school or local educational agency from a foreign country or a foreign entity of concern—

“(A) the amount of such funds; and

“(B) any terms or conditions applicable to the receipt of such funds.

“(c) NOTICE OF RIGHTS.—At the beginning of each school year, a local educational agency receiving funds under this Act shall ensure that each elementary school and each secondary school served by such agency posts on a publicly accessible website of the school or, if the school does not operate a website, widely disseminates to the public, a summary notice of the rights of parents described in subsections (a) and (b).

“(d) NOTIFICATION OF REQUIREMENTS.—At the beginning of each school year, the Secretary shall notify State educational agencies about the requirements of this section. As a condition of receiving funds under this Act, State educational agencies shall, at the beginning of each school year, notify local educational agencies of the requirements of this section.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘foreign country’ means a foreign country or a dependent territory or possession of a foreign country. Such term does not include any of the outlying areas.

“(2) The term ‘foreign entity of concern’ has the meaning given such term in section 10612(a) of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19221(a)).”

(b) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended by inserting after the item relating to section 8549C the following:

“Sec. 8549D. Parents’ right to know about foreign influence.”

## PURPOSE

The purpose of H.R. 1049, the Transparency in Reporting of Adversarial Contributions to Education (TRACE) Act, is to help ensure that parents are aware of any foreign government’s influence in their child’s school and can review any curriculum provided by a foreign government.

## COMMITTEE ACTION

118TH CONGRESS

### *First Session—Hearings*

On September 19, 2023, the Committee on Education and the Workforce’s Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing on “Academic Freedom Under Attack: Loosening the CCP’s Grip on America’s Classrooms.” The purpose of the hearing was to examine the covert influence of foreign governments and organizations, particularly the Chinese Communist Party, on U.S. K-12 schools. Testifying before the Sub-

committee were Mr. Michael Gonzalez, Senior Fellow, Heritage Foundation, Washington, D.C.; Ms. Gisela Perez Kusakawa, Executive Director, Asian American Scholar Forum, New York, NY; Mrs. Nicole Neily, President, Parents Defending Education, Arlington, VA; and Mr. Ryan Walters, State Superintendent of Public Instruction, Oklahoma State Department of Education, Oklahoma City, OK.

#### *Second Session—Hearings*

On May 8, 2024, the Committee’s Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing on “Confronting Pervasive Antisemitism in K–12 Schools.” The purpose of the hearing was to discuss the proliferation of antisemitism in K–12 schools. During the hearing, then-Committee Chairwoman Virginia Foxx (R–NC) asked New York City Chancellor David Banks if foreign governments donate significant funding to NYC Public Schools. Chancellor Banks stated that the Qatar Foundation did donate, and he followed up after the hearing to confirm that the Italian government and the Consulate General of the Republic of Korea also contributed funding to NYC Public Schools’ K–12 schools. Testifying before the Subcommittee were Mr. David Banks, Chancellor, New York City Public Schools, New York City, NY; Ms. Karla Silvestre, President, Montgomery County Board of Education, Montgomery County Public Schools, Rockville, MD; Mr. Emerson Sykes, Senior Staff Attorney, American Civil Liberties Union, New York, NY; and Ms. Enikia Ford Morthel, Superintendent, Berkeley Unified School District, Berkeley, CA.

#### *Legislative Action*

On June 7, 2024, Representative Aaron Bean (R–FL) introduced H.R. 8649, the *Transparency in Reporting of Adversarial Contributions to Education* (TRACE) Act. The bill was referred solely to the Committee on Education and the Workforce. On June 13, 2024, the Committee considered H.R. 8649 in legislative session and reported it favorably, as amended, to the House of Representatives by a recorded vote of 23–16. The Committee considered the following amendments to H.R. 8649:

1. Representative Bean offered an Amendment in the Nature of a Substitute that clarified local education agencies must respond to parent inquiries in writing within 30 days. The amendment was adopted by voice vote.
2. Ranking Member Bobby Scott (D–VA) offered an amendment that authorized \$300 million per year starting in fiscal year 2025. The amendment failed by a recorded vote of 16–23.

#### 119TH CONGRESS

#### *First Session—Hearings*

On February 5, 2025, the Committee on Education and Workforce held a hearing on “The State of American Education.” The purpose of the hearing was to examine the state of American education, including K–12 education, postsecondary education, and workforce development. During the hearing, Representative Mary Miller (R–IL) expressed concerns about China’s influence campaign in K–12 schools. Witness Mrs. Nicole Neily agreed with Represent-

ative Miller's concerns and testified that Chinese Communist Party propaganda has infiltrated more than 500 K–12 schools. Testifying before the Committee were Mrs. Neily, President, Parents Defending Education, Arlington, VA; Dr. Preston Cooper, Senior Fellow, American Enterprise Institute, Washington, D.C.; Mrs. Janai Nelson, President and Director-Counsel, NAACP Legal Defense Fund, Washington, DC; and Mr. Johnny C. Taylor, Jr., President and CEO, Society for Human Resource Management, Alexandria, VA.

#### *Legislative Action*

On February 5, 2025, Representative Bean introduced H.R. 1049, the *Transparency in Reporting of Adversarial Contributions to Education* (TRACE) Act, with Representative Ryan Mackenzie (R-PA) as an original co-sponsor. The bill was referred solely to the Committee on Education and Workforce. On February 12, 2025, the Committee considered H.R. 1049 in legislative session and reported it favorably, as amended, to the House of Representatives by a recorded vote of 20–13. The Committee considered the following amendments to H.R. 1049:

1. Representative Mackenzie offered an Amendment in the Nature of a Substitute that made a technical change. The amendment was adopted by voice vote.
2. Ranking Member Scott offered an amendment that added an authorization of \$300 million per year starting in fiscal year 2026. The amendment failed by a recorded vote of 14–20.
3. Representative Suzanne Bonamici (D-OR) offered an amendment that stipulated the Department of Education “shall take such steps as may be necessary otherwise to enforce” the bill, which is already implicit in the bill and redundant with the existing text. The amendment failed by a recorded vote of 13–20.

#### COMMITTEE VIEWS

##### INTRODUCTION

Over the last decade, the Chinese Communist Party (CCP) has infiltrated American K–12 schools through grants, sister school partnerships, and programs sponsored by Confucius Classrooms, which are trojan horses for Chinese propaganda.

##### CHINA'S ACTIVITY IN U.S. K–12 SCHOOLS

The Chinese government's effort to infiltrate with American schools is one facet of the CCP's broader soft-power strategy to influence policy in nations throughout the world. The United States Senate Permanent Subcommittee on Investigations found that expanding Confucius Classrooms in the United States has been a top priority for the Chinese government.<sup>1</sup> Many K–12 schools have accepted CCP-linked grants, which come with perks including fully funded teacher exchanges, Chinese language programs, and opportunities for American students to learn in China.<sup>2</sup>

<sup>1</sup> <https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/PSI%20Report%20China%27s%20Impact%20on%20the%20US%20Education%20System.pdf>.

<sup>2</sup> <https://defendinged.org/investigations/little-red-classrooms-china-infiltration-of-american-k-12-schools/>.

Confucius Classrooms are smaller-scale, K–12 versions of Confucius Institutes that the CCP has pushed for on U.S. college campuses. Confucius Institutes are established as partnerships between a host institution, a Chinese partner (usually a Chinese university), and a Chinese government agency. China’s Ministry of Education Office of Chinese Language Council International funds each Confucius Institute, often at around \$100,000 per year, and asks host institutions to match those funds with its own contributions.

This Confucius Institute funding comes with strings attached that compromise academic freedom. The Chinese government approves teachers, events, and speakers and requires teachers to sign contracts pledging they will not injure the national interests of China. The government’s control over the Institute is highlighted by the contracts that make clear that Chinese directors or teachers will be terminated if they “violate Chinese laws” or “engage in activities detrimental to national interests” and states that they must “conscientiously safeguard national interests.”<sup>3</sup>

Many K–12 Confucius Classrooms developed as offshoots of university-based Confucius Institutes. China has strategically deployed and rapidly expanded their Confucius Classrooms, going from very few in 2008 to more than a thousand worldwide by 2017. More than 500 American K–12 schools have hosted Confucius Classrooms, aided in part by the Asia Society, an American non-profit that previously ran a network of 100 Confucius Classrooms before they ended the partnership in 2021.<sup>4</sup> A Parents Defending Education report tracked Chinese affiliation in 143 schools across 34 states—with at least seven still active as of publication.<sup>5</sup>

#### OTHER COUNTRIES’ INFLUENCE IN U.S. K–12 SCHOOLS

While it appears that no other country has a program similar in scope and size to the CCP’s propaganda campaign in American schools, other countries have also invested in language and cultural educational programs in American K–12 schools.

One notable example is Qatar. The Qatar Foundation, along with its subsidiaries like Qatar Foundation International and the Qatar National Research Fund, have been actively involved in influencing American K–12 education through financial partnerships with individual schools.<sup>6</sup> From 2009 to 2017, the Qatar Foundation allocated \$30.6 million to various schools across 12 U.S. states. The funds are predominantly directed towards facilitating Arabic language programs, and they cover expenses for teacher education, materials, and salaries. These contributions have taken various forms, from direct funds to professional development initiatives, such as teacher councils and language conferences. Additionally, there are instances of school districts, like the Tucson Unified School District

---

<sup>3</sup> <https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/PSI%20Report%20China%27s%20Impact%20on%20the%20US%20Education%20System.pdf>.

<sup>4</sup> <https://www.heritage.org/homeland-security/commentary/confucius-institutes-chinas-trojan-horse>.

<sup>5</sup> <https://defendinged.org/investigations/little-red-classrooms-china-infiltration-of-american-k-12-schools/>.

<sup>6</sup> [https://freebeacon.com/wp-content/uploads/2020/05/FARA\\_Memo\\_with\\_Exhibits\\_R-91.pdf](https://freebeacon.com/wp-content/uploads/2020/05/FARA_Memo_with_Exhibits_R-91.pdf).

and New Haven Public Schools, receiving substantial grants over multiple years.<sup>7</sup>

Other countries have also made notable donations to U.S. K–12 schools. After the May 8, 2024, subcommittee hearing on anti-semitism in K–12 schools, then-New York City Public Schools Chancellor David Banks informed Committee staff that the Italian-American Committee on Education, which is connected to the Italian government, contributed \$257,000 to New York City Public Schools in 2021–24. Chancellor Banks also reported that the Consulate General of the Republic of Korea in New York contributed \$16,000 to support Korean instruction and programming in New York City Public Schools. It is unclear the extent to which these foreign ties had been publicized prior to the Committee’s request for information.<sup>8</sup>

It is imperative that American students are not subject to malicious foreign influence in their schools. Parents are crucial guardians when it comes to ensuring that their students are taught accurate content. To that end, the TRACE Act requires that, as a condition of receiving funds under the *Elementary and Secondary Education Act*, a local educational agency ensures that public schools provide each parent the right to review any curricular material provided or purchased with funds from a foreign government or foreign entity of concern. The bill also guarantees parents the right to know how many personnel at their child’s school are compensated by foreign sources and about any donations or financial transactions between the school and a foreign government or foreign entity of concern.

#### CONCLUSION

It is unacceptable that foreign adversaries such as the CCP are attempting to influence U.S. K–12 schools. Congress should take immediate action to ensure that students are not being indoctrinated with communist propaganda. Congress should also take action to ensure that parents have the right to review and be aware of all curricula purchased or provided by a foreign country. H.R. 1049 will help ensure that the Chinese government does not take advantage of local school districts and that parents have the right to be fully informed of what is happening in their child’s schools.

#### H.R. 1049 SECTION-BY-SECTION SUMMARY

##### *Section 1. Short title*

- Names the bill the *Transparency in Reporting of Adversarial Contributions to Education Act* or TRACE Act.

##### *Section 2. Parents’ right to know about foreign influence*

- The bill requires that, as a condition of receiving federal financial assistance under any program under the *Elementary and Secondary Education Act*, a local educational agency ensure that each elementary and secondary school served by the district provides each parent of a child attending the schools the following rights:

---

<sup>7</sup>*Ibid.*

<sup>8</sup>Documentation emailed from New York City Public Schools to Committee staff on May 22, 2024.

- The right to review any curricular material or professional development material purchased using funds from a foreign government or foreign entity of concern.
- The right to know how many personnel of the school are compensated by a foreign government or foreign entity of concern.
- The right to know of any donation or agreement in writing between the school or local educational agency and a foreign country or foreign entity of concern.

#### EXPLANATION OF AMENDMENTS

The amendments, including the amendment in the nature of a substitute, are explained in the body of this report.

#### APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104-1 requires a description of the application of this bill to the legislative branch. H.R. 1049 ensures that parents are aware of foreign influence in their child's public school. H.R. 1049 applies to schools receiving funds under the *Elementary and Secondary Education Act of 1965* and therefore does not apply to the Legislative Branch.

#### UNFUNDED MANDATE STATEMENT

Pursuant to Section 423 of the Congressional Budget and Impoundment Control Act of 1974, Pub. L. No. 93-344 (as amended by Section 101(a)(2) of the Unfunded Mandates Reform Act of 1995, Pub. L. No. 104-4), the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office (CBO) pursuant to section 402 of the Congressional Budget and Impoundment Control Act of 1974.

#### EARMARK STATEMENT

H.R. 1049 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House rule XXI.

#### ROLL CALL VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee Report to include for each record vote on a motion to report the measure or matter and on any amendments offered to the measure or matter the total number of votes for and against and the names of the Members voting for and against.

Date: 2/12/25

**COMMITTEE ON EDUCATION AND WORKFORCE RECORD OF COMMITTEE VOTE**

Roll Call: 11

Bill: H.R. 1049

Amendment Number: n/a

Disposition: Not Adopted by a Full Committee Roll Call Vote (14 y - 20 n)

Sponsor/Amendment: Rep. Scott / DAMD\_001

TOTALS: Ayes: 14

Nos: 20

Not Voting: 3

Total: 37 / Quorum: 34 / Report: 14Y - 20N

(21 R - 16 D)

Date: 2/12/25

**COMMITTEE ON EDUCATION AND WORKFORCE RECORD OF COMMITTEE VOTE**

Roll Call: 12

Bill: H.R. 1049

Amendment Number: n/a

Disposition: Not Adopted by a Full Committee Roll Call Vote (13 y - 20 n)

Sponsor/Amendment: Rep. Bonamici / DAMD\_002

TOTALS: Ayes: 13

Nos: 20

Not Voting: 4

Total: 37 / Quorum: 34 / Report: 13Y - 20N

(21 R - 16 D)

## COMMITTEE ON EDUCATION AND WORKFORCE RECORD OF COMMITTEE VOTE

Roll Call: 13

Bill: H.R. 1005

Amendment Number: n/a

Disposition: Adopted by a Full Committee Roll Call Vote (20 y - 13 n)

Sponsor/Amendment: Motion to Report bill, as amended

TOTALS: Ayes: 20

Nos: 13

Not Voting: 4

Total: 37 / Quorum: 34 / Report: 20Y - 13N

(21 R - 16 D)

#### STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause (3)(c) of rule XIII of the Rules of the House of Representatives, the goal of H.R. 1049 is to ensure that public elementary and secondary schools provide parents with information related to foreign influence in their child's school.

#### DUPLICATION OF FEDERAL PROGRAMS

No provision of H.R. 1049 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

#### STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the body of this report.

#### REQUIRED COMMITTEE HEARING

In compliance with clause 3(c)(6) of rule XIII the following hearing held during the 119th Congress was used to develop or consider H.R. 1049: On February 5, 2025, the Committee on Education and Workforce held a hearing on "The State of American Education."

#### NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee adopts as its own the cost estimate for the bill prepared by the Director of the Congressional Budget Office.

<b>H.R. 1049, TRACE Act</b>			
As ordered reported by the House Committee on Education and Workforce on February 12, 2025			
By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	No
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	<b>Mandate Effects</b> Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

\* = between zero and \$500,000.

H.R. 1049 would require that local education agencies ensure that each school served by the agency provide information about funding from or agreements with foreign governments or related entities to parents upon request as a condition of receiving funds from the Department of Education.

CBO expects that local education agencies would comply with these new requirements; thus, enacting the bill would not affect their eligibility to receive federal funds. Based on the costs of similar activities, CBO estimates that implementing the bill would cost the Department of Education less than \$500,000 over the 2025–2030 period. Any related spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Garrett Quenneville. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,  
*Director, Congressional Budget Office.*

#### COMMITTEE COST ESTIMATE

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 1049. However, clause 3(d)(2)(B) of that Rule provides that this requirement does not apply when, as with the present report, the Committee adopts as its own the cost estimate for the bill prepared by the Director of the Congressional Budget Office.

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

## **ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965**

\* \* \* \* \*

### **SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

Sec. 1. Short title.

*	*	*	*	*	*	*	*
<b>TITLE VIII—GENERAL PROVISIONS</b>							
*	*	*	*	*	*	*	*
<b>PART F—UNIFORM PROVISIONS</b>							
*	*	*	*	*	*	*	*
<b>Subpart 2—Other Provisions</b>							
*	*	*	*	*	*	*	*
<i>Sec. 8549D. Parents' right to know about foreign influence.</i>							
*	*	*	*	*	*	*	*

## **TITLE VIII—GENERAL PROVISIONS**

\* \* \* \* \*

### **PART F—UNIFORM PROVISIONS**

\* \* \* \* \*

#### **Subpart 2—Other Provisions**

\* \* \* \* \*

##### **SEC. 8549D. PARENTS' RIGHT TO KNOW ABOUT FOREIGN INFLUENCE.**

(a) *IN GENERAL.*—As a condition of receiving funds under this Act, a local educational agency shall ensure that each elementary school and each secondary school served by such agency provides to each parent of a child attending the school, at a minimum—

(1) the right (in a manner consistent with copyright law) to review, and make copies of free of cost, at least every four weeks and not later than 30 days after submission of a written request by the parent, any curricular material or professional development material used at the school that was purchased, or otherwise obtained, using funds received from the government of a foreign country or a foreign entity of concern;

(2) the right to know, by written response provided not later than 30 days after submission of a written request by the parent, how many personnel of the school are compensated, in whole or in part, using funds received from the government of a foreign country or a foreign entity of concern; and

(3) the right to know, by written response provided not later than 30 days after submission of a written request by the parent, of—

(A) any donation received by the school or local educational agency from a foreign country or a foreign entity of concern;

(B) any agreement in writing (such as a contract or memorandum of understanding) between the school or local educational agency and a foreign country or a foreign entity of concern; and

(C) any financial transaction between the school or local educational agency and a foreign country or a foreign entity of concern.

(b) **DONATIONS, AGREEMENTS, AND FINANCIAL TRANSACTIONS.**—The information described in subsection (a)(3) shall include, at minimum, the following:

(1) The name of the foreign country or foreign entity of concern.

(2) In any case in which funds were received by the school or local educational agency from a foreign country or a foreign entity of concern—

(A) the amount of such funds; and

(B) any terms or conditions applicable to the receipt of such funds.

(c) **NOTICE OF RIGHTS.**—At the beginning of each school year, a local educational agency receiving funds under this Act shall ensure that each elementary school and each secondary school served by such agency posts on a publicly accessible website of the school or, if the school does not operate a website, widely disseminates to the public, a summary notice of the rights of parents described in subsections (a) and (b).

(d) **NOTIFICATION OF REQUIREMENTS.**—At the beginning of each school year, the Secretary shall notify State educational agencies about the requirements of this section. As a condition of receiving funds under this Act, State educational agencies shall, at the beginning of each school year, notify local educational agencies of the requirements of this section.

(e) **DEFINITIONS.**—In this section:

(1) The term “foreign country” means a foreign country or a dependent territory or possession of a foreign country. Such term does not include any of the outlying areas.

(2) The term “foreign entity of concern” has the meaning given such term in section 10612(a) of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19221(a)).

\* \* \* \* \*

## MINORITY VIEWS

### INTRODUCTION

H.R. 1049, the *Transparency in Reporting of Adversarial Contributions to Education Act*, requires local educational agencies (LEAs) and individual schools to provide parents with the opportunity to: (1) access curriculum and staff professional development materials provided by a government of a foreign country (foreign government) or foreign entity of concern; (2) know how many school staff have been paid, in whole or part, by a foreign government or foreign entity of concern; and (3) know of any donation to, written agreement with, or financial transaction between the school or LEA and a foreign government or foreign entity of concern and related details.<sup>1</sup> The Majority claims the bill “solidifies the rights of parents to know how foreign funding is impacting their child’s classroom and adds a layer of deterrence to keep foreign nations from reaching America’s youth.”<sup>2</sup> Yet, the Majority has not proven any local school system has allowed foreign influence to exist in elementary and secondary public schools. Instead, the bill would feed into baseless claims encompassed in the Majority’s self-created culture wars and raises a number of administrative questions and concerns for public schools.

### SUMMARY OF CONCERNs

#### *H.R. 1049 Claims to provide parents with rights, but in reality feeds into culture wars*

While the Majority claims a desire to provide parents with information on foreign governments and foreign entities of concern allegedly impacting their students’ education, H.R. 1049 is another attempt to feed into culture wars. Throughout the last Congress, and continuing into this Congress, the Majority has used its agenda-setting power to consider a series of bills that provide solutions to non-existent problems to advance divisive narratives. Last Congress, the House passed H.R. 5, the *Parents Bill of Rights Act*, which the Majority claimed would “put in place concrete legal protections that will ensure parents always have a seat at the table when it comes to their child’s education.”<sup>3</sup> But, as Committee Democrats pointed out in the Minority Views accompanying that bill to the House floor, the bill was “largely duplicative of current law, lacks clarity in how its provisions will actually address stu-

---

<sup>1</sup> Transparency in Reporting of Adversarial Contributions to Education Act, H.R. 1049, 119th Cong. (2025).

<sup>2</sup> Press Release, Rep. Aaron Bean, Congressman Bean Protects American Children from Foreign Adversaries (February 6, 2025), <https://bean.house.gov/media/press-releases/congressman-bean-protects-american-children-foreign-adversaries>.

<sup>3</sup> Press Release, Rep. Julia Letlow, Letlow Introduces Parents Bill of Rights (Mar. 1, 2023), <https://letlow.house.gov/media/press-releases/letlow-reintroduces-parents-bill-rights>.

dents well-being, and stands as an example of the type federal overreach Congressional Republicans have long claimed would harm children, teachers and schools.”<sup>4</sup> Similarly, it is worth noting that pursuant to a law that already applies to entities that receive U.S. Department of Education funding and awards, parents currently have the right to inspect instructional materials pertaining to their child’s classes.<sup>5</sup> But H.R. 1049 permits parents to inspect and copy—at unlimited cost to the school—any instructional materials or professional development materials that the school purchased or obtained using funds from a foreign government or foreign entity of concern.<sup>6</sup> The costs (in staff time and money) associated with complying with transparency requests are documented challenges schools face; systemic foreign influence is not.<sup>7</sup>

*Foreign influence has not posed a threat to K–12 classrooms*

The Majority claims H.R. 1049 is necessary because “foreign adversaries . . . are systematically and aggressively attempting to influence our nation’s elementary and secondary schools.”<sup>8</sup> But the most common example of foreign influence in schools that the Majority cites are Confucius Classrooms.

*Chinese influence has not posed a threat to elementary and secondary classrooms*

Confucius Classrooms, which are affiliated with Confucius Institutes, are centers for Chinese culture and language established at public and private elementary and secondary schools—either to bolster a Chinese language program already at the school or to start a new one. Many countries around the world lack quality Chinese language and culture resources and Confucius Institutes and Classrooms provide those resources for free.<sup>9</sup> However, over nearly five years, the number of U.S. Confucius Classrooms has dropped from more than 500 to currently no more than 16.<sup>10</sup> Experts have summed up the current state of these programs, saying “[t]he harsh reality is that Confucius Institutes/Confucius Classrooms stepped up to fulfill a need that governments were not—and they were happy to accept a ‘freebie’.”<sup>11</sup> Now that Confucius Insti-

<sup>4</sup> H.R. Rep. No. 118–9, at 48 (2023), <https://www.congress.gov/congressional-report/118th-congress/house-report/9/1?s=5&r=1&q=%7B%22search%22%3A%22hr+5%22%7D>.

<sup>5</sup> 20 U.S.C. § 1232h.

<sup>6</sup> This significantly broadens the information that parents may access beyond information pertaining to their own child under GEPA. In addition, even with that expansion, as written, the bill does not include the right to inspect and copy donated materials for which funds were not used.

<sup>7</sup> Hannah Natanson & Karina Elwood, *Schools forced to divert staff amid historic flood of records requests*, Wash. Post, Mar. 27, 2023, <https://www.washingtonpost.com/education/2023/03/27/school-district-foia-records-request/>.

<sup>8</sup> Press Release, Rep. Aaron Bean, *supra* note 1.

<sup>9</sup> Lin Yang, *Controversial Confucius Institutes Returning to U.S. Schools Under New Name*, VOA News, (June 27, 2022) <https://www.voanews.com/a/controversial-confucius-institutes-returning-to-u-s-schools-under-new-name/6635906.html>.

<sup>10</sup> *Confucius Institutes Around the World—2024*, Dig Mandarin (Mar. 20, 2024), <https://www.digmandarin.com/confucius-institutes-around-the-world.html>; Beth Wallis, *Tulsa Public Schools ended Chinese language program weeks before Oklahoma Superintendent’s Congressional testimony*, National Public Radio KOSU (Sept. 29, 2023) <https://www.kosu.org/education/2023-09-29/tulsa-public-schools-ended-chinese-language-program-weeks-before-oklahoma-superintendents-congressional-testimony>; *Little Red Classrooms China’s Infiltration of American K–12 Schools*, Defending Ed. (Jul. 26, 2023) <https://defendinged.org/investigations/little-red-classrooms-china-infiltration-of-american-K-12-schools/>.

tutes have been tainted by wider distaste and suspicion of the Chinese government, this ‘freebie’ now has a cost.”<sup>11</sup>

Parents Defending Education (PDE), a right-wing non-profit organization, published a report in July 2023 entitled, “Little Red Classrooms: China’s Infiltration of American K–12 Schools.” The report cites the mere presence of Confucius Institutes, Confucius Classrooms, and related “programming” (including local programming that may have pre-dated the establishment of a Confucius Classroom), sometimes in areas near U.S. military bases, to allege the Classrooms exert undue Chinese influence in America.<sup>12</sup> Despite the claims in the report, Committee Democratic staff have been unable to locate credible evidence to support either the claims made by the Majority or PDE that there is inappropriate and undue foreign influence in our nation’s K–12 public schools currently as a result of Confucius Classrooms. In 2019, the Senate Committee on Homeland Security and Governmental Affairs’ (HSGAC) Permanent Subcommittee on Investigations held a hearing entitled “China’s Impact on the U.S. Education System”. The hearing was held the day after the HSGAC released a bipartisan staff report with the same title.<sup>13</sup> While the staff report made recommendations that schools should ensure that Chinese partnership organization’s “vetting, screening and interview processes are aligned with their own hiring protocols and procedures”<sup>14</sup> and that “the State Department should demand reciprocal and fair treatments of its diplomats and employees in China.”<sup>15</sup> The Committee did not find security risks or curriculum vulnerability, as claimed by the Majority.

*H.R. 1049 Includes severe penalties for public school systems*

Failure to comply with the requirements of H.R. 1049 could cause public school systems and states to lose funding from the *Elementary and Secondary Education Act* (ESEA), including the Title I–A program. Specifically, the bill conditions receipt of ESEA program funds on meeting the requirements of the bill. Each LEA is responsible for making sure that each school in the LEA posts or disseminates information about these rights at the beginning of every school year. It also requires state educational agencies (SEAs) to notify LEAs of these requirements at the beginning of every school year. By conditioning ESEA funds to LEAs and SEAs on meeting the requirements in the bill, H.R. 1049 contains severe penalties for districts and states that fail to implement the requirements of the bill correctly, whether intentional or accidental.

*H.R. 1049 Raises significant administrative concerns for public schools*

As written, H.R. 1049 will cause confusion for public schools as they seek to follow the law. With respect to staff compensation, it

---

<sup>11</sup>*Id.*

<sup>12</sup>*Little Red Classrooms China’s Infiltration of American K–12 Schools*, Defending Ed. (Jul. 26, 2023) <https://defendinged.org/investigations/little-red-classrooms-china-infiltration-of-american-K-12-schools/>.

<sup>13</sup>China’s Impact on the U.S. Education System: hearing Before the Subcomm. on Investigations of the S. Comm. on Homeland Security & Governmental Affairs, 116th Cong., 80 (2019).

<sup>14</sup>*Id.* at 91.

<sup>15</sup>*Id.* at 92.

is unclear whether the bill only applies to staff compensation that is provided by the school using funds the school received from a foreign government or foreign entity of concern or if it applies, for instance, to a volunteer compensated directly by a foreign government or foreign entity of concern without a school's knowledge. Further, while the obligation to provide information about donations, agreements, or financial transactions rests with the school, schools are often not aware of donations, agreements, or financial transactions made at the LEA level, and the bill does not require LEAs to share that information with schools.

Additionally, the bill does not provide a clear definition for "foreign country." This sets a dangerous precedent by leaving it to LEAs and schools to decide what constitutes a foreign country and inviting them to engage in international diplomacy. It is also unclear in what instances an LEA or school will need to determine whether there is any involvement by a foreign government or a "foreign entity of concern". The bill is also silent as to how to make such a determination, or how to assess whether any entity the LEA or school works with—U.S. or otherwise—has substantial operations in another country. Learning how to assess and make these determinations and ensure that anyone authorized to spend money is aware of the requirements in the bill will require significant training, professional development, and cost. Moreover, it is unclear whether every contract (new and existing) for food, tutoring, textbooks, janitorial services, trash collection, recycling, etc. would need to undergo such examination. The bill is also not specific about whether such an examination to ensure compliance would need to focus on each individual employee or only key decision-makers at the entity providing services.

During the markup for the bill Ranking Member Bobby Scott (D-VA) asked for clarification on what a "foreign entity of concern" is, citing the bill incorporates by reference the definition of the term from the Research and Development, Competition, and Innovation Act.<sup>16</sup> Rep. Ryan Mackenzie (R-PA) responded that "foreign entity of concern" meant "Communist China",<sup>17</sup> however the Research and Development, Competition, and Innovation Act includes a much more expansive definition, that itself cross-references numerous other criminal and national security statutes.<sup>18</sup> Rep. Scott (D-

<sup>16</sup> 42 U.S.C. 19221 (a).

<sup>17</sup> Quoted from the Markup Rep. Ryan Mackenzie (R-PA).

<sup>18</sup> 42 U.S.C. § 19221 (a)(The term "foreign entity of concern" means a foreign entity that is—  
(A) designated as a foreign terrorist organization by the Secretary of State under section 1189(a) of title 8;

(B) included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (commonly known as the SDN list);

(C) owned by, controlled by, or subject to the jurisdiction or direction of a government of a foreign country that is a covered nation (as such term is defined in section 4872 of title 10);  
(D) alleged by the Attorney General to have been involved in activities for which a conviction

was obtained under—

(i) chapter 37 of title 18 (commonly known as the Espionage Act);

(ii) section 951 or 1030 of title 18;

(iii) chapter 90 of title 18 (commonly known as the Economic Espionage Act of 1996);

(iv) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(v) section 2274, 2275, 2276, 2277, or 2284 of this title;

(vi) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(vii) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(E) determined by the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, to be engaged in unauthorized conduct that is detrimental to the national security or foreign policy of the United States.

VA) went on to highlight the difficulties schools may have complying, since the definition in the bill text expands well beyond China.

Finally, H.R. 1049 will likely have a chilling effect on SEAs, LEAs, and schools engaging in international and cultural exchange opportunities because they often require some coordination with foreign governments (through U.S. consulates). Statements made at markup lead us to wonder if the chilling effect on engaging with foreign entities, however benign, is part of the purpose of the legislation. During the markup of H.R. 1049, when faced with questions on the difficulty schools would have complying with this bill, Rep. Mackenzie said:

“I think the easiest and fastest way to comply with this legislation is to not accept funds from communist China. It’s very simple. If you’re not accepting funds from an entity like that, you won’t have any compliance costs because then parents will have the transparency that will be brought about by this act. They will not ever find that there was any money being given to a school district to influence the curriculum or the teaching that is going on in a classroom, and it’ll be very simple to reply from the school district, just saying we have not received those funds. Very simple, very easy, straightforward piece of legislation that increases transparency and also again then will help parents be involved in their student’s education.”

H.R. 1049’s requirements related to disclosing information on donations, agreements, and financial transactions in the bill are not limited to “Communist China” or “foreign influence”. Everyday commonplace business that a school may engage with a vendor could easily be implicated by H.R. 1049. When faced with questions regarding compliance, Committee Republicans suggested the easiest way to comply is to not engage in the underlying practice. This suggests that if H.R. 1049 became law, we would likely see a general disincentive among schools to contract with, or accept donations from anyone who looks or sounds “foreign”, for fear of losing ESEA funds.

#### DEMOCRATIC AMENDMENT OFFERED DURING MARKUP OF H.R. 1049

Recognizing the administrative burden schools will face, Ranking Member Scott put forward an amendment to provide funds to assist schools, LEAs, and SEAs with compliance costs. Significant effort may need to be expended to investigate existing and new contracts, to determine whether existing or potential business partners are foreign governments or “foreign entities of concern”, to create and maintain systems to keep track of all the new information and respond to inquiries and to train staff in each school on the ways to report to be in compliance with the bill. This amendment authorizes \$300 million for fiscal year 2025 and each subsequent fiscal year, providing on average approximately \$3,000 to every public school in America to assist with coming into compliance with H.R.

1049.<sup>19</sup> Committee Republicans rejected this amendment on a party-line vote.

Representative Suzanne Bonamici (D-OR) put forward an amendment designed to ensure the Department of Education, and no other agency, is responsible for overseeing the enforcement of this legislation. Over the past several weeks, President Trump has suggested he will have a plan soon to eliminate the Department of Education, calling into question how this bill would be administered. Yet H.R. 1069 specifically calls for funds that are administered by the Department of Education to be withheld if schools do not comply. Therefore, the Bonamici amendment sought to ensure that the Department be the sole agency empowered to enforce the bill. However, Committee Republicans rejected this amendment on a party-line vote.

#### CONCLUSION

H.R. 1049 is another solution in search of a problem. While the Majority claims that some foreign countries seek to influence our nation's students, there is no credible evidence proving such a claim. Yet, they use the bill to feed into baseless arguments that parents do not have rights, claims we all know are not substantiated under current law. The bill raises a number of administrative questions and concerns for public schools and in practice will result in many schools discontinuing perfectly safe and legal international engagements. For the reasons stated above, we urge the House of Representatives to oppose H.R. 1049.

ROBERT C. "BOBBY" SCOTT,  
*Ranking Member.*  
 MARK DESAULNIER,  
 SUMMER L. LEE,  
*Members of Congress.*




---

<sup>19</sup> According to the National Center for Education Statistics in the Institute of Education Sciences at the U.S. Department of Education, there were 99,388 public elementary and secondary schools for the 2022–2023 school year. NCES, *Digest of Education Statistics* tbl. 216.10 (2023), [https://nces.ed.gov/programs/digest/d23/tables/dt23\\_216.10.asp](https://nces.ed.gov/programs/digest/d23/tables/dt23_216.10.asp). Three hundred million dollars would provide \$3,000 per year to each of those schools to offset the costs of compliance. In reality, the administrative burden this bill poses could easily require a full time administrative staff person at each school.