

117TH CONGRESS  
2D SESSION

# H. R. 8106

To provide for disclosures of certain foreign contributions, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2022

Mr. GOLDEN (for himself, Mr. GOODEN of Texas, Ms. PORTER, and Mr. GOSAR) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Ways and Means, and the Judiciary, 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 provide for disclosures of certain foreign contributions,  
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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Fighting Foreign Influence Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—THINK TANK AND NONPROFIT FOREIGN INFLUENCE  
DISCLOSURE

Sec. 101. Short title.

Sec. 102. Annual disclosure of contributions from foreign governments and political parties by certain tax-exempt organizations.

TITLE II—CONGRESSIONAL AND EXECUTIVE FOREIGN LOBBYING  
BAN

Sec. 201. Short title.

Sec. 202. Prohibiting certain individuals from acting as agents of foreign principals.

TITLE III—STOP FOREIGN DONATIONS AFFECTING OUR  
ELECTIONS

Sec. 301. Short title.

Sec. 302. Requiring disclosure of credit verification value as condition of acceptance of online contributions to Federal election.

Sec. 303. Prohibiting foreign agents from delivering contributions to Federal candidates.

1 **TITLE I—THINK TANK AND NON-**  
2 **PROFIT FOREIGN INFLUENCE**  
3 **DISCLOSURE**

4 **SEC. 101. SHORT TITLE.**

5 This title may be cited as the “Think Tank and Non-  
6 profit Foreign Influence Disclosure Act”.

7 **SEC. 102. ANNUAL DISCLOSURE OF CONTRIBUTIONS FROM**  
8 **FOREIGN GOVERNMENTS AND POLITICAL**  
9 **PARTIES BY CERTAIN TAX-EXEMPT ORGANI-**  
10 **ZATIONS.**

11 (a) REPORTING REQUIREMENT.—Section 6033(b) of  
12 the Internal Revenue Code of 1986 is amended by striking  
13 “and” at the end of paragraph (15), by redesignating  
14 paragraph (16) as paragraph (17) and by inserting after  
15 paragraph (15) the following new paragraph:

1           “(16) with respect to each government of a for-  
2           foreign country (within the meaning of section 1(e) of  
3           the Foreign Agents Registration Act of 1938 (22  
4           U.S.C. 611(e))) and each foreign political party  
5           (within the meaning of section 1(f) of such Act (22  
6           U.S.C. 611(f)) which made aggregate contributions  
7           and gifts to the organization during the year in ex-  
8           cess of \$50,000, the name of such government or  
9           political party and such aggregate amount, and”.

10          (b) PUBLIC DISCLOSURE.—Section 6104 of such  
11 Code is amended by adding at the end the following new  
12 subsection:

13          “(e) PUBLIC DISCLOSURE OF CERTAIN INFORMA-  
14 TION.—The Secretary shall make publicly available in a  
15 searchable database the following information:

16               “(1) The information furnished under section  
17               6033(b)(16) of the Internal Revenue Code of 1986.

18               “(2) The name of the organization furnishing  
19               the information described in paragraph (1).

20               “(3) The aggregate amount reported under  
21               paragraph (1) as having been received as contribu-  
22               tions or gifts in each year from each government of  
23               a foreign country and each foreign political party.”.

1 (c) EFFECTIVE DATE.—The amendments made by  
 2 this section shall apply to returns filed for taxable years  
 3 beginning after the date of the enactment of this Act.

4 **TITLE II—CONGRESSIONAL AND**  
 5 **EXECUTIVE FOREIGN LOB-**  
 6 **BYING BAN**

7 **SEC. 201. SHORT TITLE.**

8 This title may be cited as the “Congressional and Ex-  
 9 ecutive Foreign Lobbying Ban Act”.

10 **SEC. 202. PROHIBITING CERTAIN INDIVIDUALS FROM ACT-**  
 11 **ING AS AGENTS OF FOREIGN PRINCIPALS.**

12 (a) FORMER MEMBERS OF CONGRESS; GENERAL OR  
 13 FLAG OFFICERS OF ARMED FORCES.—

14 (1) PROHIBITING REGISTRATION AS AGENT.—

15 The Foreign Agents Registration Act of 1938, as  
 16 amended (22 U.S.C. 611 et seq.) is amended—

17 (A) by redesignating sections 12 through  
 18 14 as sections 13 through 15; and

19 (B) by inserting after section 11 the fol-  
 20 lowing new section:

21 **“SEC. 12. PROHIBITING REGISTRATION OF CERTAIN INDI-**  
 22 **VIDUALS.**

23 “(a) PROHIBITION.—No individual may register  
 24 under this Act or otherwise serve as the agent of a foreign  
 25 principal if the individual at any time served as a Member

1 of Congress, as a senior political appointee, or as a general  
2 or flag officer of the armed forces.

3 “(b) DEFINITIONS.—In this section—

4 “(1) the term ‘Member of Congress’ means a  
5 Senator or Representative in, or Delegate or Resi-  
6 dent Commissioner to, the Congress; and

7 “(2) the term ‘senior political appointee’—

8 “(A) means—

9 “(i) any individual occupying a full-  
10 time senior position and who is appointed  
11 by the President or the Vice President;

12 “(ii) any noncareer appointee in the  
13 Senior Executive Service (or other SES-  
14 type system); and

15 “(iii) any appointee to a position, at  
16 or above the level of a noncareer member  
17 of the Senior Executive Service, that has  
18 been excepted from the competitive service  
19 by reason of being of a confidential or pol-  
20 icymaking character (schedule C and other  
21 positions excepted under comparable cri-  
22 teria) in an executive agency; and

23 “(B) does not include any individual ap-  
24 pointed as a member of the Senior Foreign  
25 Service or, except for a general or flag officer

1 of the armed forces, solely as a uniformed serv-  
2 ice commissioned officer.”.

3 (2) OTHER REPRESENTATION OF FOREIGN EN-  
4 TITIES.—Section 207(f)(1) of title 18, United States  
5 Code, is amended by inserting after “within 1 year”  
6 the following: “(or, in the case of a person who is  
7 subject to any of such restrictions and who is a  
8 Member of Congress, a senior political appointee (as  
9 that term is defined in section 12 of the Foreign  
10 Agents Registration Act of 1938, as amended (22  
11 U.S.C. 611 et seq.)), or a general or flag officer of  
12 the armed forces, at any time)”.

13 (b) EFFECTIVE DATE.—The amendments made by  
14 subsection (a) shall apply with respect to any individual  
15 whose service as a Member of Congress or as a general  
16 or flag officer of the Armed Forces terminates on or after  
17 the date of the enactment of this Act.

18 **TITLE III—STOP FOREIGN DONA-**  
19 **TIONS AFFECTING OUR ELEC-**  
20 **TIONS**

21 **SEC. 301. SHORT TITLE.**

22 This title may be cited as the “Stop Foreign Dona-  
23 tions Affecting Our Elections Act”.

1 **SEC. 302. REQUIRING DISCLOSURE OF CREDIT**  
2 **VERIFICATION VALUE AS CONDITION OF AC-**  
3 **CEPTANCE OF ONLINE CONTRIBUTIONS TO**  
4 **FEDERAL ELECTION.**

5 (a) IN GENERAL.—Section 302 of the Federal Elec-  
6 tion Campaign Act of 1971 (52 U.S.C. 30102) is amended  
7 by adding at the end the following:

8 “(j)(1) No political committee shall accept any Inter-  
9 net credit card contribution unless—

10 “(A) the individual or entity making such con-  
11 tribution is required, at the time such individual  
12 makes such contribution, to disclose the credit  
13 verification value of such credit card; and

14 “(B)(i) the billing address associated with such  
15 credit card is located in the United States; or

16 “(ii) in the case of a contribution made by an  
17 individual who is a United States national or lawful  
18 permanent resident living outside of the United  
19 States, the individual provides the committee with—

20 “(I) the United States mailing address the  
21 individual uses for voter registration purposes;

22 “(II) a copy of the individual’s United  
23 States passport;

24 “(III) a copy of the individual’s permanent  
25 resident card; or

1           “(IV) a copy of a comparable acceptable  
2           identification document, or the unique identi-  
3           fying number from such a document, for the in-  
4           dividual.

5           “(2) Notwithstanding subsection (b) or (c), in the  
6 case of an Internet credit card contribution—

7           “(A) no later than 10 days after receiving the  
8           contribution, the person who receives the contribu-  
9           tion shall forward to the treasurer such contribution,  
10          the name and address of the person making the con-  
11          tribution, and the date of receipt; and

12          “(B) the treasurer of a political committee shall  
13          keep an account of the name and address of any  
14          person making any such contribution, together with  
15          the date and amount of such contribution by any  
16          person.

17          “(3) In this subsection, the term ‘Internet credit card  
18 contribution’ means a contribution that—

19           “(A) is made using a credit card; and

20           “(B) is received through an Internet website.”.

21          (b) EFFECTIVE DATE.—The amendment made by  
22 subsection (a) shall apply with respect to contributions  
23 made after the expiration of the 180-day period which be-  
24 gins on the date of the enactment of this Act.

1 **SEC. 303. PROHIBITING FOREIGN AGENTS FROM DELIV-**  
2 **ERING CONTRIBUTIONS TO FEDERAL CAN-**  
3 **DIDATES.**

4 (a) PROHIBITION.—Section 315 of the Federal Elec-  
5 tion Campaign Act of 1971 (52 U.S.C. 30116) is amended  
6 by adding at the end the following new subsection:

7 “(k) PROHIBITING DELIVERY OF CONTRIBUTIONS BY  
8 FOREIGN AGENTS.—

9 “(1) PROHIBITION.—

10 “(A) IN GENERAL.—An individual de-  
11 scribed in subparagraph (B) may not deliver a  
12 contribution to a candidate or an authorized  
13 committee of a candidate which is made by an-  
14 other person.

15 “(B) INDIVIDUALS DESCRIBED.—An indi-  
16 vidual described in this subparagraph is any of  
17 the following:

18 “(i) An individual who is required  
19 under the Foreign Agents Registration Act  
20 of 1938, as amended (22 U.S.C. 611 et  
21 seq.), to register as the agent of a foreign  
22 principal described in section 1(b)(1) of  
23 such Act (22 U.S.C. 611(b)(1)).

24 “(ii) An individual who is required  
25 under such Act to register as the agent of  
26 a foreign principal described in section

1 1(b)(2) or 1(b)(3) of such Act (22 U.S.C.  
2 611(b)(2) or (b)(3)), but only if the bene-  
3 ficial owner of such foreign principal is a  
4 foreign principal described in section  
5 1(b)(1) of such Act (22 U.S.C. 611(b)(1)),  
6 as determined in accordance with section  
7 5336(a)(3) of title 31, United States Code.

8 “(iii) An individual who would be re-  
9 quired to register under such Act as the  
10 agent of a foreign principal described in  
11 clause (ii) but for the exemption under sec-  
12 tion 3(h) of such Act (22 U.S.C. 613(h)).

13 “(C) TREATMENT OF CONTRIBUTIONS  
14 CREDITED TO FOREIGN AGENTS.—If a con-  
15 tribution made to a candidate or an authorized  
16 committee of a candidate is credited to an indi-  
17 vidual described in subparagraph (B) by the  
18 committee or candidate involved through  
19 records, designations, or other means of recog-  
20 nizing that a certain amount of money has been  
21 raised by the individual, the individual shall be  
22 deemed to have delivered the contribution to the  
23 candidate or committee for purposes of this  
24 subsection.

1           “(2) RULE OF CONSTRUCTION.—Nothing in  
2 this subsection may be construed to prohibit any in-  
3 dividual from making a contribution to a candidate  
4 for election for Federal office or from encouraging  
5 any other person to make a contribution to or other-  
6 wise support or oppose a candidate for election for  
7 Federal office.

8           “(3) DEFINITIONS.—In this subsection, the  
9 term ‘deliver’ means to transport, carry, transfer, or  
10 otherwise transmit, either physically or electroni-  
11 cally.”.

12       (b) EFFECTIVE DATE.—The amendment made by  
13 subsection (a) shall apply with respect to contributions  
14 made on or after the date of the enactment of this Act.

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