

118TH CONGRESS
2D SESSION

H. R. 9393

To amend the Federal Election Campaign Act of 1971 to treat certain foreign-owned corporations and business organizations as foreign nationals for purposes of the ban on campaign activity, to prohibit foreign-affiliated section 501(c)(4) organizations from making contributions to super PACs or disbursing funds for independent expenditures or electioneering communications, to amend the Foreign Agents Registration Act of 1938 to reform the procedures for the registration of agents of foreign principals under such Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 20, 2024

Ms. PORTER (for herself and Ms. NORTON) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on House Administration, 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

A BILL

To amend the Federal Election Campaign Act of 1971 to treat certain foreign-owned corporations and business organizations as foreign nationals for purposes of the ban on campaign activity, to prohibit foreign-affiliated section 501(c)(4) organizations from making contributions to super PACs or disbursing funds for independent expenditures or electioneering communications, to amend the Foreign Agents Registration Act of 1938 to reform the procedures for the registration of agents of foreign principals under such Act, 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 “Foreign Political Influence Elimination Act of 2024”.

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

Sec. 1. Short title; table of contents.

TITLE I—RESTRICT FOREIGN AND DARK MONEY IN ELECTIONS

Sec. 101. Treatment of certain foreign-owned corporations and associations as
 foreign nationals for purposes of ban on campaign activity.

Sec. 102. Prohibiting foreign-affiliated section 501(c) organizations from mak-
 ing certain election-related disbursements.

Sec. 103. Activities subject to ban.

Sec. 104. Prohibiting acceptance of contributions from foreign agents.

Sec. 105. Effective date.

TITLE II—REFORM OF FOREIGN AGENTS REGISTRATION ACT OF
 1938

Sec. 201. Repealing exemption from registration under Foreign Agents Reg-
 istration Act of 1938 for persons filing disclosure reports under
 Lobbying Disclosure Act of 1995.

Sec. 202. Conditions for exemption for persons providing legal representation.

Sec. 203. Treatment of informational materials.

Sec. 204. Foreign agents registration civil enforcement.

Sec. 205. Authorizing imposition and collection of registration fees.

Sec. 206. Establishment of FARA investigation and enforcement unit within
 Department of Justice.

Sec. 207. Comprehensive strategy to improve enforcement and administration.

Sec. 208. Analysis by Government Accountability Office.

Sec. 209. Definition.

Sec. 210. Effective date.

1 **TITLE I—RESTRICT FOREIGN**
2 **AND DARK MONEY IN ELEC-**
3 **TIONS**

4 **SEC. 101. TREATMENT OF CERTAIN FOREIGN-OWNED COR-**
5 **PORATIONS AND ASSOCIATIONS AS FOREIGN**
6 **NATIONALS FOR PURPOSES OF BAN ON CAM-**
7 **PAIGN ACTIVITY.**

8 Section 319(b) of the Federal Election Campaign Act
9 of 1971 (52 U.S.C. 30121(b)) is amended to read as fol-
10 lows:

11 “(b) DEFINITION.—

12 “(1) IN GENERAL.—As used in this section, the
13 term ‘foreign national’ means—

14 “(A) an individual who is not a citizen of
15 the United States or a national of the United
16 States, as defined in section 101(a)(22) of the
17 Immigration and Nationality Act (8 U.S.C.
18 1101(a)(22)), and who is not lawfully admitted
19 for permanent residence, as defined by section
20 101(a)(20) of such Act (8 U.S.C. 1101(a)(20);

21 “(B) a person outside of the United
22 States, unless it is established that such person
23 is an individual who is a citizen of the United
24 States, or that such person is not an individual
25 and is organized under or created by the laws

1 of the United States or of any State or other
2 place subject to the jurisdiction of the United
3 States and has its principal place of business
4 within the United States;

5 “(C) a government of a foreign country or
6 an official of the government of a foreign coun-
7 try, as defined in section 1(e) of the Foreign
8 Agents Registration Act of 1938 (22 U.S.C.
9 611(e)), a foreign political party, as defined in
10 section 1(f) of such Act (22 U.S.C. 611(f)), or
11 a corporation principally owned or controlled by
12 the government of a foreign country or an offi-
13 cial of the government of a foreign country, in-
14 cluding a separate segregated fund of such a
15 corporation under section 316;

16 “(D) a corporation (other than a corpora-
17 tion described in subparagraph (C)), partner-
18 ship, association, organization, or other com-
19 bination of persons organized under the laws of
20 or having its principal place of business in a
21 foreign country, including a separate segregated
22 fund of such a corporation under section 316;

23 “(E) a corporation, partnership, associa-
24 tion, or other business organization or entity in
25 which one or more foreign nationals described

1 in subparagraph (C) holds, owns, controls, or
2 otherwise has directly or indirectly acquired
3 beneficial ownership of equity or voting shares
4 in an aggregate amount equal to or greater
5 than 5 percent of total equity or outstanding
6 voting shares (as determined by excluding any
7 equity or shares owned by a mutual fund), in-
8 cluding a separate segregated fund of such a
9 corporation under section 316; or

10 “(F) a corporation, partnership, associa-
11 tion, or other business organization or entity in
12 which one or more foreign nationals (other than
13 those described in subparagraph (C)) holds,
14 owns, controls, or otherwise has directly or indi-
15 rectly acquired beneficial ownership of equity or
16 voting shares in an aggregate amount equal to
17 or greater than 20 percent of total equity or
18 outstanding voting shares (as determined by ex-
19 cluding any equity or shares owned by a mutual
20 fund), including a separate segregated fund of
21 such a corporation.

22 “(2) USE OF QUARTERLY SEC REPORTS.—In
23 the case of a corporation or other entity which is re-
24 quired to file quarterly reports with the Securities
25 and Exchange Commission under section 13 of the

1 Securities Exchange Act of 1934 (15 U.S.C. 78m),
 2 the determination as to whether a corporation or en-
 3 tity is described in subparagraph (D), (E), or (F)
 4 shall be based on the most recent such report.”.

5 **SEC. 102. PROHIBITING FOREIGN-AFFILIATED SECTION**
 6 **501(c) ORGANIZATIONS FROM MAKING CER-**
 7 **TAIN ELECTION-RELATED DISBURSEMENTS.**

8 Title III of the Federal Election Campaign Act of
 9 1971 (52 U.S.C. 30101 et seq.) is amended by adding at
 10 the end the following new section:

11 **“SEC. 325. PROHIBITION ON CERTAIN ELECTION-RELATED**
 12 **DISBURSEMENTS BY FOREIGN-AFFILIATED**
 13 **SECTION 501(c) ORGANIZATIONS.**

14 “(a) PROHIBITION.—It is unlawful for a foreign-af-
 15 filiated section 501(c) organization to make an election-
 16 related disbursement described in subsection (b).

17 “(b) ELECTION-RELATED DISBURSEMENT DE-
 18 SCRIBED.—An election-related disbursement described in
 19 this subsection is any of the following:

20 “(1) A contribution to a super PAC.

21 “(2) An independent expenditure.

22 “(3) The disbursement of funds for the dissemi-
 23 nation of an electioneering communication.

24 “(4) A covered transfer.

1 “(c) DEFINITION OF FOREIGN-AFFILIATED SECTION
2 501(c) ORGANIZATION.—In this section, a ‘foreign-affili-
3 ated section 501(c) organization’ is a section 501(c) orga-
4 nization with respect to which—

5 “(1) the amount of contributions provided to
6 the organization by foreign nationals described in
7 subparagraph (C) of section 319(b)(1) was equal to
8 or greater than 5 percent of the gross receipts of the
9 organization, as determined on the basis of the most
10 recent taxable year for which information on the
11 gross receipts of the organization is available or, in
12 the case of an organization which is required to file
13 quarterly reports with the Securities and Exchange
14 Commission under section 13 of the Securities Ex-
15 change Act of 1934 (15 U.S.C. 78m), the most re-
16 cent such report, or

17 “(2) the amount of contributions provided to
18 the organization by all foreign nationals described in
19 section 319(b) was equal to or greater than 20 per-
20 cent of the gross receipts of the organization, as de-
21 termined on the basis of the most recent taxable
22 year for which information on the gross receipts of
23 the organization is available or, in the case of an or-
24 ganization which is required to file quarterly reports
25 with the Securities and Exchange Commission under

1 section 13 of the Securities Exchange Act of 1934
2 (15 U.S.C. 78m), the most recent such report.

3 “(d) DEFINITION OF COVERED TRANSFER.—

4 “(1) IN GENERAL.—In this section, the term
5 ‘covered transfer’ means any transfer or payment of
6 funds by a foreign-affiliated section 501(c) organiza-
7 tion to another person if the foreign-affiliated sec-
8 tion 501(c) organization—

9 “(A) designates, requests, or suggests that
10 the amounts be used for—

11 “(i) election-related disbursements
12 (other than covered transfers); or

13 “(ii) making a transfer to another
14 person for the purpose of making or pay-
15 ing for such election-related disbursements;

16 “(B) made such transfer or payment in re-
17 sponse to a solicitation or other request for a
18 donation or payment for—

19 “(i) the making of or paying for elec-
20 tion-related disbursements (other than cov-
21 ered transfers); or

22 “(ii) making a transfer to another
23 person for the purpose of making or pay-
24 ing for such election-related disbursements;

1 “(C) engaged in discussions with the re-
2 cipient of the transfer or payment regarding—

3 “(i) the making of or paying for elec-
4 tion-related disbursements (other than cov-
5 ered transfers); or

6 “(ii) donating or transferring any
7 amount of such transfer or payment to an-
8 other person for the purpose of making or
9 paying for such election-related disburse-
10 ments; or

11 “(D) knew or had reason to know that the
12 person receiving the transfer or payment would
13 make election-related disbursements in an ag-
14 gregate amount of \$123,900 or more during the
15 2-year period beginning on the date of the
16 transfer or payment.

17 “(2) EXCLUSIONS.—The term ‘covered transfer’
18 does not include any of the following:

19 “(A) A disbursement made by a foreign-af-
20 filiated section 501(c) organization in a com-
21 mercial transaction in the ordinary course of
22 any trade or business conducted by the organi-
23 zation or in the form of investments made by
24 the organization.

1 “(B) A disbursement made by a foreign-af-
2 filiated section 501(c) organization if—

3 “(i) the organization prohibited, in
4 writing, the use of such disbursement for
5 election-related disbursements; and

6 “(ii) the recipient of the disbursement
7 agreed to follow the prohibition and depos-
8 ited the disbursement in an account which
9 is segregated from an election-related dis-
10 bursement segregated fund and any other
11 account used to make election-related dis-
12 bursements.

13 “(3) SPECIAL RULE REGARDING TRANSFERS
14 AMONG AFFILIATES.—

15 “(A) SPECIAL RULE.—A transfer of an
16 amount by one foreign-affiliated section 501(c)
17 organization to another foreign-affiliated section
18 501(c) organization which is treated as a trans-
19 fer between affiliates under subparagraph (C)
20 shall be considered a covered transfer by the or-
21 ganization which transfers the amount only if
22 the aggregate amount transferred during the
23 year by such organization to that same organi-
24 zation is equal to or greater than \$123,900.

1 “(B) DETERMINATION OF AMOUNT OF
2 CERTAIN PAYMENTS AMONG AFFILIATES.—In
3 determining the amount of a transfer between
4 affiliates for purposes of subparagraph (A), to
5 the extent that the transfer consists of funds
6 attributable to dues, fees, or assessments which
7 are paid by individuals on a regular, periodic
8 basis in accordance with a per-individual cal-
9 culation which is made on a regular basis, the
10 transfer shall be attributed to the individuals
11 paying the dues, fees, or assessments and shall
12 not be attributed to the foreign-affiliated sec-
13 tion 501(c) organization.

14 “(C) DESCRIPTION OF TRANSFERS BE-
15 TWEEN AFFILIATES.—A transfer of amounts
16 from one foreign-affiliated section 501(c) orga-
17 nization to another foreign-affiliated section
18 501(c) organization shall be treated as a trans-
19 fer between affiliates if—

20 “(i) one of the organizations is an af-
21 filiate of the other organization; or

22 “(ii) each of the organizations is an
23 affiliate of the same organization,

24 except that the transfer shall not be treated as
25 a transfer between affiliates if one of the orga-

1 nizations is established for the purpose of mak-
2 ing election-related disbursements.

3 “(D) DETERMINATION OF AFFILIATE STA-
4 TUS.—For purposes of subparagraph (C), a for-
5 eign-affiliated section 501(c) organization is an
6 affiliate of another foreign-affiliated section
7 501(c) organization if—

8 “(i) the governing instrument of the
9 organization requires it to be bound by de-
10 cisions of the other organization;

11 “(ii) the governing board of the orga-
12 nization includes persons who are specifi-
13 cally designated representatives of the
14 other organization or are members of the
15 governing board, officers, or paid executive
16 staff members of the other organization, or
17 whose service on the governing board is
18 contingent upon the approval of the other
19 organization; or

20 “(iii) the organization is chartered by
21 the other organization.

22 “(e) OTHER DEFINITIONS.—In this section—

23 “(1) the term ‘electioneering communication’
24 has the meaning given such term in section
25 304(f)(3);

1 “(2) the term ‘section 501(c) organization’
 2 means an organization described in section 501(c) of
 3 the Internal Revenue Code of 1986 and exempt from
 4 taxation under section 501(a) of such Code; and

5 “(3) term ‘super PAC’ means a political com-
 6 mittee which accepts donations or contributions that
 7 do not comply with the limitations and prohibitions
 8 of this Act (or has an account which is established
 9 for the purpose of accepting such donations or con-
 10 tributions) and which makes only independent ex-
 11 penditures (or has an account which is established
 12 for the purpose of making only independent expendi-
 13 tures).”.

14 **SEC. 103. ACTIVITIES SUBJECT TO BAN.**

15 (a) CONTRIBUTIONS AND DONATIONS IN CONNEC-
 16 TION WITH BALLOT INITIATIVES AND REFERENDA AND
 17 RECALL ELECTIONS.—Section 319(a)(1)(A) of the Fed-
 18 eral Election Campaign Act of 1971 (52 U.S.C.
 19 30121(a)(1)(A)) is amended by striking “election;” and
 20 inserting the following: “election, including a State or local
 21 ballot initiative or referendum or recall election;”.

22 (b) COVERAGE OF CERTAIN ELECTION-RELATED AC-
 23 TIVITIES.—Section 319 of such Act (52 U.S.C. 30121) is
 24 amended by adding at the end the following new sub-
 25 section:

1 “(c) A foreign national shall not direct, dictate, con-
 2 trol, or directly or indirectly participate in the decision-
 3 making process of any person, such as a corporation, labor
 4 organization, political committee, or political organization
 5 with regard to such person’s Federal or non-Federal elec-
 6 tion-related activities, such as decisions concerning the
 7 making of contributions, donations, expenditures, or dis-
 8 bursements in connection with elections for any Federal,
 9 State, or local office, including a State or local ballot ini-
 10 tiative or referendum or recall election, or decisions con-
 11 cerning the administration of a political committee.”.

12 **SEC. 104. PROHIBITING ACCEPTANCE OF CONTRIBUTIONS**
 13 **FROM FOREIGN AGENTS.**

14 Section 315 of the Federal Election Campaign Act
 15 of 1971 (52 U.S.C. 30116) is amended by adding at the
 16 end the following new subsection:

17 “(k) PROHIBITING ACCEPTANCE OF CONTRIBUTIONS
 18 FROM FOREIGN AGENTS.—

19 “(1) DIRECT CONTRIBUTIONS.—A political
 20 committee may not accept any contribution from an
 21 individual who, at the time the date the individual
 22 makes the contribution, is registered as the agent of
 23 a foreign principal under the Foreign Agents Reg-
 24 istration Act of 1938 (22 U.S.C. 611 et seq.).

25 “(2) BUNDLED CONTRIBUTIONS.—

1 “(A) PROHIBITION.—A political committee
2 may not accept any bundled contribution which
3 is provided by an individual who, at the time
4 the individual provides the bundled contribu-
5 tion, is registered as the agent of a foreign
6 principal under the Foreign Agents Registration
7 Act of 1938 (22 U.S.C. 611 et seq.).

8 “(B) DEFINITION.—In this paragraph, the
9 term ‘bundled contribution’ means, with respect
10 to an individual described in subparagraph (A),
11 a contribution which is—

12 “(i) forwarded from the contributor or
13 contributors to the committee by the indi-
14 vidual; or

15 “(ii) received by the committee from a
16 contributor or contributors, but credited by
17 the committee or candidate involved (or, in
18 the case of a leadership PAC described in
19 subparagraph (B) of subsection (j)(8), by
20 the individual referred to in such subpara-
21 graph) to the individual through records,
22 designations, or other means of recognizing
23 that a certain amount of money has been
24 raised by the individual.”.

1 **SEC. 105. EFFECTIVE DATE.**

2 The amendments made by this title shall apply with
3 respect to elections occurring after January 2025.

4 **TITLE II—REFORM OF FOREIGN**
5 **AGENTS REGISTRATION ACT**
6 **OF 1938**

7 **SEC. 201. REPEALING EXEMPTION FROM REGISTRATION**
8 **UNDER FOREIGN AGENTS REGISTRATION**
9 **ACT OF 1938 FOR PERSONS FILING DISCLO-**
10 **SURE REPORTS UNDER LOBBYING DISCLO-**
11 **SURE ACT OF 1995.**

12 (a) REPEAL OF EXEMPTION.—Section 3 of the For-
13 eign Agents Registration Act of 1938 (22 U.S.C. 613) is
14 amended by striking subsection (h).

15 (b) TIMING OF FILING OF REGISTRATION STATE-
16 MENTS.—Section 2 of the Foreign Agents Registration
17 Act of 1938 (22 U.S.C. 612) is amended—

18 (1) in subsection (a), in the matter preceding
19 paragraph (1), in the fourth sentence, by striking
20 “The registration statement shall include” and in-
21 serting “Except as provided in subsection (h), the
22 registration statement shall include”; and

23 (2) by adding at the end the following:

24 “(h) TIMING FOR FILING OF STATEMENTS BY PER-
25 SONS REGISTERED UNDER LOBBYING DISCLOSURE ACT
26 OF 1995.—In the case of an agent of a person or an entity

1 described in section 1(b) who has registered under the
 2 Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.),
 3 after the agent files the first registration required under
 4 subsection (a) in connection with the agent's representa-
 5 tion of such person or entity, the agent shall file all subse-
 6 quent statements required under this section at the same
 7 time, and in the same frequency, as the reports filed with
 8 the Clerk of the House of Representatives or the Secretary
 9 of the Senate (as the case may be) under section 5 of the
 10 Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) in con-
 11 nection with the agent's representation of such person or
 12 entity.”.

13 **SEC. 202. CONDITIONS FOR EXEMPTION FOR PERSONS**
 14 **PROVIDING LEGAL REPRESENTATION.**

15 Section 3(g) of the Foreign Agents Registration Act
 16 of 1938 (22 U.S.C. 613(g)) is amended by adding at the
 17 end the following: “A person may be exempt under this
 18 subsection only if the person files with the Attorney Gen-
 19 eral a request for such exemption and the Attorney Gen-
 20 eral approves the request.”.

21 **SEC. 203. TREATMENT OF INFORMATIONAL MATERIALS.**

22 (a) DEFINITION.—Section 1 of the Foreign Agents
 23 Registration Act of 1938 (22 U.S.C. 611) is amended—

1 (1) in subsection (c), in the matter preceding
2 paragraph (1), by striking “Expect” and inserting
3 “Except”; and

4 (2) by inserting after subsection (i) the fol-
5 lowing:

6 “(j) The term ‘informational materials’ means any
7 oral, visual, graphic, written, or pictorial information or
8 matter of any kind, including matter published by means
9 of advertising, books, periodicals, newspapers, lectures,
10 broadcasts, motion pictures, social media, or any means
11 or instrumentality of interstate or foreign commerce or
12 otherwise.”.

13 (b) CONFORMING AMENDMENT RELATING TO FILING
14 OF INFORMATIONAL MATERIALS WITH ATTORNEY GEN-
15 ERAL.—Section 4(a) of such Act (22 U.S.C. 614(a)) is
16 amended by striking “or foreign commerce” and inserting
17 “or foreign commerce, including electronic mail and social
18 media,”.

19 (c) WAIVER OF FILING REQUIREMENT FOR UNRE-
20 LATED MATERIALS.—Section 4(a) of such Act (22 U.S.C.
21 614(a)) is amended—

22 (1) by striking “Every person” and inserting
23 “(1) Every person”; and

24 (2) by adding at the end the following new
25 paragraph:

1 “(2) Paragraph (1) does not apply with respect to
2 any informational material which is disseminated by an
3 agent of a foreign principal as part of an activity that is
4 exempt from registration under this Act, or as part of an
5 activity which by itself would not require registration
6 under this Act.”.

7 (d) METHOD AND FORM OF DISCLAIMER FOR MATE-
8 RIALS POSTED ONLINE.—Section 4(b) of such Act (22
9 U.S.C. 614(b)) is amended—

10 (1) by striking “(b) It shall be unlawful” and
11 inserting “(b)(1) It shall be unlawful”; and

12 (2) by adding at the end the following new
13 paragraph:

14 “(2) In the case of informational materials for or in
15 the interests of a foreign principal which are transmitted
16 or caused to be transmitted by an agent of a foreign prin-
17 cipal by posting on an online platform, the agent shall en-
18 sure that the conspicuous statement required to be placed
19 in such materials under this subsection is placed directly
20 with the material posted on the platform and is not acces-
21 sible only through a hyperlink or other reference to an-
22 other source.

23 “(3) If the Attorney General determines that the ap-
24 plication of paragraph (2) to materials posted on an online
25 platform is not feasible because the length of the con-

1 spicuous statement required to be placed in materials
2 under this subsection makes the inclusion of the entire
3 statement incompatible with the posting of the materials
4 on that platform, an agent may meet the requirements of
5 paragraph (2) by ensuring that an abbreviated version of
6 the statement, stating that the materials are distributed
7 by a foreign agent on behalf of a clearly identified foreign
8 principal, is placed directly with the material posted on
9 the platform.

10 “(4)(A) For purposes of this subsection, subject to
11 subparagraph (B), the term ‘online platform’ means any
12 public-facing website, web application, or digital applica-
13 tion (including a social network, ad network, or search en-
14 gine) which—

15 “(i)(I) sells qualified political advertisements;
16 and

17 “(II) has 50,000,000 or more unique monthly
18 United States visitors or users for a majority of
19 months during the preceding 12 months; or

20 “(ii) is a third-party advertising vendor that
21 has 50,000,000 or more unique monthly United
22 States visitors in the aggregate on any advertise-
23 ment space that it has sold or bought for a majority
24 of months during the preceding 12 months, as meas-
25 ured by an independent digital ratings service ac-

1 credited by the Media Ratings Council (or its suc-
2 cessor).

3 “(B) Such term shall not include any online platform
4 that is a distribution facility of any broadcasting station
5 or newspaper, magazine, blog, publication, or periodical.

6 “(C) For purposes of this subsection, the term ‘third-
7 party advertising vendor’ includes any third-party adver-
8 tising vendor network, advertising agency, advertiser, or
9 third-party advertisement serving company that buys and
10 sells advertisement space on behalf of unaffiliated third-
11 party websites, search engines, digital applications, or so-
12 cial media sites.”.

13 **SEC. 204. FOREIGN AGENTS REGISTRATION CIVIL EN-**
14 **FORCEMENT.**

15 Section 8 of the Foreign Agents Registration Act of
16 1938 (22 U.S.C. 618) is amended by adding at the end
17 the following:

18 “(i) CIVIL ENFORCEMENT.—

19 “(1) CIVIL PENALTIES.—

20 “(A) REGISTRATION STATEMENTS.—

21 “(i) IN GENERAL.—Any person who is
22 required to register under this Act and
23 fails to file a timely or complete registra-
24 tion statement required under section 2(a)
25 shall be subject to a civil fine of not more

1 than \$10,000 for each violation, without
2 regard to the state of mind of the person.

3 “(ii) NO FINES PAID BY FOREIGN
4 PRINCIPALS.—If a person is subject to a
5 civil fine under clause (i), the civil fine
6 may not be paid, directly or indirectly, by
7 a foreign principal.

8 “(B) SUPPLEMENTS.—Any person who is
9 required to file a supplement to a registration
10 statement under section 2(b) and fails to file a
11 timely or complete supplement required under
12 that section shall be subject to a civil fine of
13 not more than \$1,000 for each violation, with-
14 out regard to the state of mind of the person.

15 “(C) FAILURE TO REMEDY DEFICIENT FIL-
16 INGS.—Any person who is required to file a reg-
17 istration statement under this Act, receives no-
18 tice under subsection (g) that the registration
19 statement filed by the person is deficient, and
20 knowingly fails to remedy the deficiency within
21 60 days after receiving the notice shall, upon
22 proof by a preponderance of the evidence of
23 such knowing failure to remedy the deficiency,
24 be subject to a civil fine of not more than

1 \$200,000, depending on the extent and gravity
2 of the violation.

3 “(D) OTHER VIOLATIONS.—Any person
4 who knowingly fails to comply with any other
5 provision of this Act shall, upon proof by a pre-
6 ponderance of the evidence of such knowing
7 failure to comply, be subject to a civil fine of
8 not more than \$200,000, depending on the ex-
9 tent and gravity of the violation.

10 “(2) USE OF FINES.—All fines collected under
11 this subsection shall be used to defray the cost of
12 enforcing this Act.”.

13 **SEC. 205. AUTHORIZING IMPOSITION AND COLLECTION OF**
14 **REGISTRATION FEES.**

15 (a) AUTHORIZATION.—The Foreign Agents Registra-
16 tion Act of 1938 (22 U.S.C. 611 et seq.), as amended by
17 section 205, is further amended by adding at the end the
18 following new section:

19 **“SEC. 16. FEES.**

20 “The Attorney General shall establish and collect a
21 registration fee, as part of the initial filing requirement
22 and at no other time, to help defray the expenses of the
23 Registration Unit, and shall credit such fees to this appro-
24 priation, to remain available until expended.”.

1 (b) CONFORMING AMENDMENT TO REPEAL EXIST-
 2 ING AUTHORITY.—The Department of Justice and Re-
 3 lated Agencies Appropriations Act, 1993 (title I of Public
 4 Law 102–395) is amended, under the heading “SALARIES
 5 AND EXPENSES, GENERAL LEGAL ACTIVITIES”, by striking
 6 “In addition, notwithstanding 31 U.S.C. 3302, for fiscal
 7 year 1993 and thereafter, the Attorney General shall es-
 8 tablish and collect fees to recover necessary expenses of
 9 the Registration Unit (to include salaries, supplies, equip-
 10 ment and training) pursuant to the Foreign Agents Reg-
 11 istration Act, and shall credit such fees to this appropria-
 12 tion, to remain available until expended.”.

13 **SEC. 206. ESTABLISHMENT OF FARA INVESTIGATION AND**
 14 **ENFORCEMENT UNIT WITHIN DEPARTMENT**
 15 **OF JUSTICE.**

16 Section 8 of the Foreign Agents Registration Act of
 17 1938, as amended (22 U.S.C. 618), as amended by section
 18 206, is further amended by adding at the end the following
 19 new subsection:

20 “(j) DEDICATED ENFORCEMENT UNIT.—

21 “(1) ESTABLISHMENT.—Not later than 180
 22 days after the date of enactment of this subsection,
 23 the Attorney General shall establish a unit within
 24 the counterespionage section of the National Secu-

1 rity Division of the Department of Justice with re-
2 sponsibility for the enforcement of this Act.

3 “(2) POWERS.—The unit established under this
4 subsection is authorized to—

5 “(A) take appropriate legal action against
6 individuals suspected of violating this Act; and

7 “(B) coordinate any such legal action with
8 the United States Attorney for the relevant ju-
9 risdiction.

10 “(3) CONSULTATION.—In operating the unit es-
11 tablished under this subsection, the Attorney Gen-
12 eral shall, as appropriate, consult with the Director
13 of National Intelligence, the Secretary of Homeland
14 Security, and the Secretary of State.

15 “(4) AUTHORIZATION OF APPROPRIATIONS.—
16 There are authorized to be appropriated to carry out
17 the activities of the unit established under this sub-
18 section \$10,000,000 for fiscal year 2024 and each
19 succeeding fiscal year.”.

20 **SEC. 207. COMPREHENSIVE STRATEGY TO IMPROVE EN-**
21 **FORCEMENT AND ADMINISTRATION.**

22 (a) IMPLEMENTATION OF STRATEGY.—Not later
23 than 120 days after the date of the enactment of this Act,
24 the Attorney General shall promulgate final regulations
25 for the implementation of a comprehensive strategy to im-

1 prove the enforcement and administration of the Foreign
2 Agents Registration Act of 1938 (22 U.S.C. 611 et seq.)
3 that addresses the following issues:

4 (1) The coordination and integration of the
5 work of the agencies that perform investigations of
6 alleged violations of the Act and bring actions (in-
7 cluding criminal prosecutions) to enforce the Act
8 with the overall national security efforts of the De-
9 partment of Justice.

10 (2) An assessment of the appropriateness of the
11 exemptions provided under the Act that permit per-
12 sons who represent the interests of foreign principals
13 to avoid registering under the Act.

14 (3) A formal cost-benefit analysis of the appro-
15 priateness of the fee structure under the Act.

16 (4) An assessment of the value of making advi-
17 sory opinions under the Act available in whole as an
18 informational resource.

19 (b) REVIEW BY INSPECTOR GENERAL.—

20 (1) REVIEW.—The Inspector General of the De-
21 partment of Justice shall carry out a review of the
22 extent to which the Attorney General has imple-
23 mented the comprehensive strategy described in sub-
24 section (a).

1 (2) REPORT TO CONGRESS.—The Inspector
2 General of the Department of Justice shall submit
3 a report to the appropriate committees of Congress
4 on the results of the review carried out under para-
5 graph (1) not later than 1 year after the date upon
6 which the comprehensive strategy described in sub-
7 section (a) is implemented by the Attorney General.
8 (c) ENSURING ELECTRONIC ACCESS TO REPORTS
9 THROUGH SEARCHABLE WEBSITE.—

10 (1) REPORT TO CONGRESS.—The Attorney
11 General, in consultation with the Assistant Attorney
12 General for National Security, shall include in the
13 second annual report submitted to the appropriate
14 committees of Congress under subsection (c) a de-
15 tailed description of methods to ensure that reports
16 filed under the Foreign Agents Registration Act are
17 filed electronically in a digitized format which will
18 enable the Foreign Agents Registration Unit website
19 database to be fully searchable, machine-readable,
20 sortable, and downloadable.

21 (2) IMPLEMENTATION.—After submitting the
22 report containing the information described in para-
23 graph (1), the Attorney General shall implement the
24 methods described in the report.

1 **SEC. 208. ANALYSIS BY GOVERNMENT ACCOUNTABILITY**
2 **OFFICE.**

3 Not later than 3 years after the date of enactment
4 of this Act, the Comptroller General of the United States
5 shall—

6 (1) carry out an analysis of the effectiveness of
7 the enforcement and administration of the Foreign
8 Agents Registration Act of 1938 (22 U.S.C. 611 et
9 seq.), including the extent to which the amendments
10 made by this title have improved the enforcement
11 and administration of such Act, and taking into ac-
12 count the comprehensive strategy developed and im-
13 plemented under section 207; and

14 (2) submit the analysis to the Attorney General,
15 the Inspector General of the Department of Justice,
16 and the appropriate committees of Congress.

17 **SEC. 209. DEFINITION.**

18 In this title, the term “appropriate committees of
19 Congress” means—

20 (1) the Committees on the Judiciary and For-
21 eign Relations of the Senate; and

22 (2) the Committee on the Judiciary of the
23 House of Representatives.

1 **SEC. 210. EFFECTIVE DATE.**

2 The amendments made by this title shall take effect
3 180 days after the date of the enactment of this Act.

○