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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Foreign Agents Registration Act of 1938, as amended to clarify the definition of “foreign principal” and ensure transparency in lobbying on behalf of foreign interests.

IN THE HOUSE OF REPRESENTATIVES

Mr. MASSIE introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Foreign Agents Registration Act of 1938, as amended to clarify the definition of “foreign principal” and ensure transparency in lobbying on behalf of foreign interests.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Americans Insist on
5 Political Agent Clarity Act” or the “AIPAC Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The Foreign Agents Registration Act of
2 1938, as amended (22 U.S.C. 611 et seq.) serves
3 compelling interests in national security and trans-
4 parency.

5 (2) Disclosure requirements do not abridge free
6 speech or association, as upheld in *Meese v. Keene*
7 (1987) as well as *Attorney General v. Irish Northern*
8 *Aid Committee* (1972).

9 (3) Entities engaged in substantial advocacy
10 aligned with foreign state interests should disclose
11 such alignment to the public.

12 **SEC. 3. CLARIFICATION OF FOREIGN PRINCIPAL STATUS.**

13 (a) DEFINITION OF FOREIGN PRINCIPAL.—Section
14 1(b) of the Foreign Agents Registration Act of 1938, as
15 amended (22 U.S.C. 611(b)) is amended—

16 (1) in paragraph (2), by striking “and” after
17 “United States;”;

18 (2) in paragraph (3), by striking the period at
19 the end and inserting “; and”; and

20 (3) by inserting after paragraph (3) the fol-
21 lowing:

22 “(4) any organization, association, corporation,
23 or other entity—

24 “(A) that is organized under the laws of
25 the United States or any State;

1 “(B) that does not directly receive funding
2 or instruction from a foreign government, rec-
3 ognized state-affiliated political entities, or for-
4 eign entity otherwise described in paragraph
5 (1), (2), or (3);

6 “(C) whose lobbying activities or stated
7 mission is, either wholly or in part, to influence
8 United States public policy or government ac-
9 tion in furtherance of the political or economic
10 interests of a foreign country or recognized
11 state-affiliated political entity; and

12 “(D) where such foreign country or recog-
13 nized state-affiliated political entity is identified
14 as a principal beneficiary of such lobbying activ-
15 ity as demonstrated by a preponderance of ob-
16 jective indicia, including—

17 “(i) repeated advocacy of legislation
18 or executive action that aligns with the for-
19 eign country’s official diplomatic objectives;

20 “(ii) coordination with foreign officials
21 or foreign-funded institutions;

22 “(iii) receipt of material support, stra-
23 tegic direction, or advisory participation by
24 persons domiciled or operating in a foreign
25 country; or

1 “(iv) the namesake of the lobbying ac-
2 tivity includes the name of a foreign na-
3 tion.”.

4 (b) PRIVATE RIGHT OF ACTION.—Section 8 of the
5 Foreign Agents Registration Act of 1938, as amended (22
6 U.S.C. 618) is amended by adding at the end the following
7 new subsection:

8 “(i) Any citizen of the United States may file a com-
9 plaint with the Department of Justice requesting inves-
10 tigation of potential violations of this Act by an agent of
11 a foreign principal (as described in section 1(b)(4)).”.

12 **SEC. 4. IMPLEMENTATION GUIDANCE.**

13 Not later than 180 days after the enactment of this
14 Act, the Attorney General shall issue public guidance to
15 clarify the application of the amended definition of “for-
16 eign principal” under section 1(b)(4) of the Foreign
17 Agents Registration Act of 1938, as amended (22 U.S.C.
18 611(b)(4)), which shall include illustrative examples, ob-
19 jective indicia of foreign political alignment, and compli-
20 ance expectations for affected organizations.