

117TH CONGRESS
2D SESSION

H. R. 7264

To amend the Foreign Agents Registration Act of 1938 to treat certain tax-exempt organizations receiving funding from Russian foreign principals as agents of a foreign principal under such Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2022

Mr. BUDD (for himself, Mr. WEBER of Texas, Mr. PERRY, Mrs. MILLER of Illinois, Mrs. BOEBERT, Mr. DUNCAN, Mr. CLYDE, Mr. BABIN, Mr. ROY, and Mr. TIFFANY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Foreign Agents Registration Act of 1938 to treat certain tax-exempt organizations receiving funding from Russian foreign principals as agents of a foreign principal 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.**

4 This Act may be cited as the “Countering Russian
5 Influence in our Politics Act of 2022”.

1 **SEC. 2. COVERAGE OF CERTAIN TAX-EXEMPT ORGANIZA-**
2 **TIONS RECEIVING FUNDING FROM RUSSIAN**
3 **FOREIGN PRINCIPALS UNDER FOREIGN**
4 **AGENTS REGISTRATION ACT.**

5 (a) COVERAGE.—The Foreign Agents Registration
6 Act of 1938, as amended (22 U.S.C. 611 et seq.) is
7 amended—

8 (1) by redesignating sections 12, 13, and 14 as
9 sections 13, 14, and 15, respectively; and

10 (2) by inserting after section 11 the following:

11 **“SEC. 12. APPLICABILITY TO CERTAIN TAX-EXEMPT ORGA-**
12 **NIZATIONS RECEIVING FUNDING FROM RUS-**
13 **SIAN FOREIGN PRINCIPALS.**

14 **“(a) APPLICABILITY.—**

15 **“(1) IN GENERAL.—**Subject to the provisions of
16 this section, for the purposes of this Act an organi-
17 zation described in subsection (b) is an agent of a
18 foreign principal.

19 **“(2) EXCEPTIONS.—**

20 **“(A) NONAPPLICATION OF WAIVER FOR**
21 **ENTITIES FILING REPORTS UNDER LOBBYING**
22 **DISCLOSURE ACT OF 1995.—**Section 3(h) shall
23 not apply to an organization described in sub-
24 section (b)(1) and (b)(2).

25 **“(B) WAIVER FOR ORGANIZATIONS SOLIC-**
26 **ITING FUNDS OUTSIDE UNITED STATES FOR**

1 HUMANITARIAN ASSISTANCE.—Section 3(d)(3)
2 shall apply to an organization described in sub-
3 section (b) notwithstanding that the organiza-
4 tion solicits and collects funds and contributions
5 outside of the United States.

6 “(b) DESCRIPTION.—An organization is described in
7 this subsection if—

8 “(1) the organization is a partnership, associa-
9 tion, corporation, organization, or any other com-
10 bination of individuals described in section
11 501(c)(3), 501(c)(4), 501(c)(5), or 501(c)(6) of the
12 Internal Revenue Code of 1986 and exempt from
13 taxation under such Code;

14 “(2) the organization receives income, money,
15 or any other thing of value from a Russian foreign
16 principal; and

17 “(3) the organization is not otherwise consid-
18 ered an agent of a foreign principal under section 1.

19 “(c) DEFINITIONS.—As used in this section—

20 “(1) The term ‘Russian foreign principal’ in-
21 cludes—

22 “(A) the government of the Russian Fed-
23 eration;

24 “(B) a political party of the Russian Fed-
25 eration;

1 “(C) a national of the Russian Federation;

2 “(D) a partnership, association, corpora-
3 tion, organization or other combination of per-
4 sons organized under the laws of or having its
5 principal place of business in the Russian Fed-
6 eration; or

7 “(E) a partnership, association, corpora-
8 tion, organization or other combination of per-
9 sons organized under the laws of or having its
10 principal place of business in a foreign country
11 other than the Russian Federation that receives
12 more than half of its funding from an entity de-
13 scribed in subparagraphs (A) through (D).

14 “(2) The term ‘government of the Russian Fed-
15 eration’ includes any person or group of persons ex-
16 ercising sovereign de facto or de jure political juris-
17 diction over the Russian Federation, or over any
18 part of such country, and includes any subdivision of
19 any such group and any group or agency to which
20 such sovereign de facto or de jure authority or func-
21 tions are directly or indirectly delegated. Such term
22 shall include any faction or body of insurgents with-
23 in such country, or a faction or body of insurgents
24 recognized by the Russian Federation that are in an-
25 other country assuming to exercise governmental au-

1 thority whether such faction or body of insurgents
2 has or has not been recognized by the United States.

3 “(3) The term ‘political party of the Russian
4 Federation’ includes any organization or any other
5 combination of individuals in the Russian Federa-
6 tion, or any unit or branch thereof, having for an
7 aim or purpose, or which is engaged in any activity
8 devoted in whole or in part to, the establishment, ad-
9 ministration, control, or acquisition of administra-
10 tion or control of the government of the Russian
11 Federation or subdivision thereof, or the furtherance
12 or influencing of the political or public interests,
13 policies, or relations of a government of the Russian
14 Federation or a subdivision thereof.”.

15 (b) MODIFICATION OF CONTENTS OF REPORTS.—
16 Section 2(a) of such Act (22 U.S.C. 612(a)) is amended—

17 (1) in paragraph (4)—

18 (A) by striking “Copies” and inserting
19 “(A) Except as provided in subparagraph (B),
20 copies”; and

21 (B) by adding at the end the following:

22 “(B) In the case of an organization described in
23 section 12(b), a statement that the registrant is an
24 agent of a foreign principal pursuant to section
25 12(a), copies of each written agreement, and the

1 terms and conditions of each oral agreement, includ-
2 ing all modifications of such agreements, or, where
3 no contract exists, a full statement of the existing
4 and proposed activity or activities engaged in or to
5 be engaged in by the registrant as a direct or indi-
6 rect result of receiving income, money, or any other
7 thing of value from a Russian foreign principal (as
8 defined in section 12(c)(1)), including a detailed
9 statement of any such activity which is a political
10 activity.”; and

11 (2) in paragraph (9)—

12 (A) by striking “Copies” and inserting
13 “(A) Except as provided in subparagraph (B),
14 copies”; and

15 (B) by adding at the end the following:

16 “(B) In the case of an organization described in
17 section 12(b), a statement that the registrant is an
18 agent of a foreign principal pursuant to section
19 12(a), copies of each written agreement and the
20 terms and conditions of each oral agreement, includ-
21 ing all modifications of such agreements, or, where
22 no contract exists, a full statement of the existing
23 and proposed activity or activities engaged in or to
24 be engaged in by the registrant as a direct or indi-
25 rect result of receiving income, money, or any other

1 thing of value from a Russian foreign principal (as
2 defined in section 12(c)(1)) or for any person other
3 than a foreign principal any activities which require
4 his registration hereunder.”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall take effect 30 days after the date of the
7 enactment of this Act.

8 **SEC. 3. DISCLOSURE OF RECEIPTS AND ACTIVITIES BY**
9 **CERTAIN ORGANIZATIONS SINCE THE RUS-**
10 **SIAN FEDERATION’S INVASION OF CRIMEA.**

11 (a) APPLICABILITY TO PRIOR RECEIPTS.—Not later
12 than 90 days after the date of enactment of this Act, a
13 qualifying organization shall submit a statement to the At-
14 torney General containing the following information:

15 (1) The organization’s current name, principal
16 business address, and all other business addresses in
17 the United States or elsewhere.

18 (2) If the organization is a partnership, the
19 current name, residence addresses, and nationality
20 of each partner and a true and complete copy of its
21 articles of copartnership; if an association, corpora-
22 tion, organization, or any other combination of indi-
23 viduals, the current name, residence addresses, and
24 nationality of each current director and officer and
25 of each person performing the functions of a director

1 or officer and a true and complete copy of its char-
2 ter, articles of incorporation, association, constitu-
3 tion, and bylaws, and amendments thereto; a copy of
4 every other instrument or document and a statement
5 of the terms and conditions of every oral agreement
6 relating to its organization, powers, and purposes;
7 and a statement of its ownership and control.

8 (3) Copies of each written agreement, and the
9 terms and conditions of each oral agreement, includ-
10 ing all modifications of such agreements, or, where
11 no contract exists, a full statement of the activities
12 engaged in by the organization as a direct or indi-
13 rect result of receiving on or after February 1, 2014,
14 income, money, or any other thing of value from a
15 Russian foreign principal, including a detailed state-
16 ment of any such activity which is a political activ-
17 ity.

18 (4) A detailed statement of the money and
19 other things of value spent or disposed of by the
20 qualifying organization as a direct or indirect result
21 of receiving on or after February 1, 2014, income,
22 money, or any other thing of value from a Russian
23 foreign principal, and a detailed statement of any
24 independent expenditures, contributions of money, or
25 other things of value (regardless of source) made on

1 or after February 1, 2014, (other than contributions
2 the making of which is prohibited under the terms
3 of section 613 of title 18, United States Code) in
4 connection with an election to any political office or
5 in connection with any primary election, convention,
6 or caucus held to select candidates for any political
7 office.

8 (5) Such other statements, information, or doc-
9 uments pertinent to the purposes of this Act as the
10 Attorney General, having due regard for the national
11 security and the public interests of the United
12 States, may require.

13 (6) Such further statements and such further
14 copies of documents as are necessary to make the
15 statement and supplements thereto, and the copies
16 of documents furnished therewith, not misleading.

17 (b) EXCEPTION FOR DISCONTINUED ENTITIES.—
18 Subsection (a) does not apply to a qualifying organization
19 that has permanently ceased operations on or before the
20 date of enactment of this Act.

21 (c) PENALTY.—A qualifying organization that know-
22 ingly fails to submit the statement required under sub-
23 section (a) shall be fined not more than \$10,000.

1 (d) CLARIFYING REGISTRATION REQUIREMENT
2 UNDER FARA.—Nothing in this section shall be con-
3 strued—

4 (1) to require a qualifying organization to reg-
5 ister as an agent of a foreign principal under section
6 2 of the Foreign Agents Registration Act of 1938,
7 as amended (22 U.S.C. 612) if the organization is
8 not described in section 12(b) of such Act (as added
9 by section 2(a)) on or after the effective date of sec-
10 tion 12(b) of such Act; or

11 (2) to waive the requirement of subsection (a)
12 in the case of a qualifying organization which is de-
13 scribed in section 12(b) of such Act (as added by
14 section 2(a)) on or after the effective date of section
15 12(b) of such Act.

16 (e) DEFINITIONS.—As used in this section:

17 (1) The term “critical mineral” means any min-
18 eral included on the list of critical minerals pub-
19 lished in the notice of the Secretary of the Interior
20 entitled “Final List of Critical Minerals 2018” (83
21 Fed. Reg. 23295 (May 18, 2018)).

22 (2) The term “political activities” has the
23 meaning given such term in section 1(o) of the For-
24 eign Agents Registration Act of 1938, as amended
25 (22 U.S.C. 611(o)).

1 (3) The term “qualifying organization” means
2 an organization which meets each of the following:

3 (A) The organization is a partnership, as-
4 sociation, corporation, organization, or any
5 other combination of individuals described in
6 section 501(c)(3), 501(c)(4), 501(c)(5), or
7 501(c)(6) of the Internal Revenue Code of 1986
8 and exempt from taxation under such Code.

9 (B) On or after February 1, 2014, the or-
10 ganization knowingly received income, money,
11 or any other thing of value from a Russian for-
12 eign principal.

13 (C) The organization has engaged in polit-
14 ical activities to discourage producing oil, petro-
15 leum products, natural gas, or critical minerals
16 in the United States.

17 (4) The term “Russian foreign principal” has
18 the meaning given such term in section 12(c)(1) of
19 the Foreign Agents Registration Act of 1938, as
20 amended (as added by section 2(a)).

○