

117TH CONGRESS
1ST SESSION

S. 577

To amend the Foreign Agents Registration Act of 1938 to limit the exemption from the registration requirements of such Act for persons engaging in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or the fine arts to activities which do not promote the political agenda of a foreign government, to amend the Higher Education Act of 1965 to clarify the disclosures of foreign gifts by institutions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 3, 2021

Mr. RUBIO (for himself, Mr. PORTMAN, Mr. COTTON, and Mr. HAGERTY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Foreign Agents Registration Act of 1938 to limit the exemption from the registration requirements of such Act for persons engaging in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or the fine arts to activities which do not promote the political agenda of a foreign government, to amend the Higher Education Act of 1965 to clarify the disclosures of foreign gifts by institutions, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Foreign Influence
3 Transparency Act”.

4 **SEC. 2. LIMITING EXEMPTION FROM FOREIGN AGENT REG-**
5 **ISTRATION REQUIREMENT FOR PERSONS EN-**
6 **GAGING IN ACTIVITIES IN FURTHERANCE OF**
7 **CERTAIN PURSUITS TO ACTIVITIES NOT PRO-**
8 **MOTING POLITICAL AGENDA OF FOREIGN**
9 **GOVERNMENTS.**

10 (a) **LIMITATION ON EXEMPTION.**—Section 3(e) of the
11 Foreign Agents Registration Act of 1938 (22 U.S.C.
12 613(e)) is amended by striking the semicolon at the end
13 and inserting the following: “, but only if the activities
14 do not promote the political agenda of a government of
15 a foreign country;”.

16 (b) **EFFECTIVE DATE.**—The amendment made by
17 subsection (a) shall apply with respect to activities carried
18 out on or after the date of the enactment of this Act.

19 **SEC. 3. DISCLOSURES OF FOREIGN GIFTS AND AGREE-**
20 **MENTS.**

21 (a) **IN GENERAL.**—Section 117 of the Higher Edu-
22 cation Act of 1965 (20 U.S.C. 1011f) is amended—

23 (1) in the section heading, by adding “**AND**
24 **AGREEMENTS**” at the end;

25 (2) in subsection (a), by striking “\$250,000”
26 and inserting “\$50,000”;

1 (3) in subsection (b)—

2 (A) in paragraph (1), in the first sentence,
3 by inserting before the period at the end the
4 following: “, including the content of each such
5 contract”; and

6 (B) in paragraph (2), by inserting before
7 the period the following: “, including the con-
8 tent of each such contract”;

9 (4) in subsection (e), by inserting “, including
10 the contents of any contracts,” after “reports”;

11 (5) by redesignating subsections (e), (f), (g),
12 and (h) as subsections (f), (g), (h), and (i), respec-
13 tively;

14 (6) by inserting after subsection (d) the fol-
15 lowing:

16 “(e) CONFUCIUS INSTITUTE AGREEMENTS.—

17 “(1) DEFINED TERM.—In this subsection, the
18 term ‘Confucius Institute’ means a cultural institute
19 directly or indirectly funded by the Government of
20 the People’s Republic of China.

21 “(2) DISCLOSURE REQUIREMENT.—Any institu-
22 tion that has entered into an agreement with a Con-
23 fucius Institute shall immediately make the full text
24 of such agreement available—

1 “(A) on the publicly accessible website of
2 the institution;

3 “(B) to the Department of Education;

4 “(C) to the Committee on Health, Edu-
5 cation, Labor, and Pensions of the Senate; and

6 “(D) to the Committee on Education and
7 Labor of the House of Representatives.”; and

8 (7) in subsection (i), as redesignated—

9 (A) in paragraph (2), by amending sub-
10 paragraph (A) to read as follows:

11 “(A) a foreign government, including—

12 “(i) any agency of a foreign govern-
13 ment, and any other unit of foreign gov-
14 ernmental authority, including any foreign
15 national, State, local, and municipal gov-
16 ernment;

17 “(ii) any international or multi-
18 national organization whose membership is
19 composed of any unit of foreign govern-
20 ment described in clause (i); and

21 “(iii) any agent or representative of
22 any such unit or such organization, while
23 acting as such;”; and

1 (B) in paragraph (3), by inserting before
2 the semicolon at the end the following: “, or the
3 fair market value of an in-kind gift”.

4 (b) EFFECT OF NONCOMPLIANCE WITH DISCLOSURE
5 REQUIREMENT.—Any institution of higher education (as
6 defined in section 101 of the Higher Education Act of
7 1965 (20 U.S.C. 1001)) that is not in compliance with
8 the disclosure requirements set forth in section 117 of
9 such Act (20 U.S.C. 1011f) shall be ineligible to enroll
10 foreign students under the Student and Exchange Visitor
11 Program.

12 (c) EFFECTIVE DATE.—The amendments made by
13 subsection (a) shall apply with respect to gifts received
14 or contracts or agreements entered into, or other activities
15 carried out, on or after the date of the enactment of this
16 Act.

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