

AMENDMENT TO H.R. 1
OFFERED BY MS. SPANBERGER OF VIRGINIA

Add at the end of subtitle B of title VII the following:

1 **SEC. 7105. DISCLAIMER REQUIREMENTS FOR MATERIALS**
2 **POSTED ON ONLINE PLATFORMS BY AGENTS**
3 **OF FOREIGN PRINCIPALS ON BEHALF OF CLI-**
4 **ENTS.**

5 (a) METHOD AND FORM OF DISCLAIMER; PRESERVA-
6 TION OF DISCLAIMERS BY CERTAIN SOCIAL MEDIA PLAT-
7 FORMS.—

8 (1) REQUIREMENTS DESCRIBED.—Section 4(b)
9 of the Foreign Agents Registration Act of 1938, as
10 amended (22 U.S.C. 614(b)) is amended—

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

13 (B) by adding at the end the following new
14 paragraph:

15 “(2) In the case of informational materials for or in
16 the interests of a foreign principal which are transmitted
17 or caused to be transmitted by an agent of a foreign prin-
18 cipal by posting on an online platform, the agent shall en-
19 sure that the conspicuous statement required to be placed

1 in such materials under this subsection is placed directly
2 with the material posted on the platform and is not acces-
3 sible only through a hyperlink or other reference to an-
4 other source.

5 “(3) If the Attorney General determines that the ap-
6 plication of paragraph (2) to materials posted on an online
7 platform is not feasible because the length of the con-
8 spicuous statement required to be placed in materials
9 under this subsection makes the inclusion of the entire
10 statement incompatible with the posting of the materials
11 on that platform, an agent may meet the requirements of
12 paragraph (2) by ensuring that an abbreviated version of
13 the statement, stating that the materials are distributed
14 by a foreign agent on behalf of a clearly identified foreign
15 principal, is placed directly with the material posted on
16 the platform.

17 “(4) An online platform on which informational mate-
18 rials described in paragraph (2) are posted shall ensure
19 that the conspicuous statement described in such para-
20 graph (or, if applicable, the abbreviated statement de-
21 scribed in paragraph (3)) is maintained with such mate-
22 rials at all times, including after the material is shared
23 in a social media post on the platform, but only if the
24 platform has 50,000,000 or more unique monthly United
25 States visitors or users for a majority of months during

1 the 12 months preceding the dissemination of the mate-
2 rials.”.

3 (2) EFFECTIVE DATE.—The amendments made
4 by paragraph (1) shall apply with respect to mate-
5 rials disseminated on or after the expiration of the
6 60-day period which begins on the date of the enact-
7 ment of this Act, without regard to whether or not
8 the Attorney General has promulgated regulations to
9 carry out such amendments prior to the expiration
10 of such period.

11 (b) APPLICATION OF REQUIREMENTS TO PERSONS
12 OUTSIDE THE UNITED STATES.—

13 (1) IN GENERAL.—Section 4(b)(1) of such Act
14 (22 U.S.C. 614(b)(1)), as amended by subsection
15 (a), is amended by striking “any person within the
16 United States” and inserting “any person”.

17 (2) EFFECTIVE DATE.—The amendment made
18 by paragraph (1) shall apply with respect to mate-
19 rials disseminated on or after the expiration of the
20 60-day period which begins on the date of the enact-
21 ment of this Act, without regard to whether or not
22 the Attorney General has promulgated regulations to
23 carry out such amendments prior to the expiration
24 of such period.

1 (c) REQUIREMENTS FOR ONLINE PLATFORMS DIS-
2 SEMINATING INFORMATIONAL MATERIALS TRANSMITTED
3 BY AGENTS OF FOREIGN PRINCIPALS.—

4 (1) IN GENERAL.—Section 4 of such Act (22
5 U.S.C. 614) is amended by adding at the end the
6 following new subsection:

7 “(g) If the Attorney General determines that an
8 agent of a foreign principal transmitted or caused to be
9 transmitted informational materials on an online platform
10 for or in the interests of the foreign principal and did not
11 meet the requirements of subsection (b)(2) (relating to the
12 conspicuous statement required to be placed in such mate-
13 rials)—

14 “(1) the Attorney General shall notify the on-
15 line platform; and

16 “(2) the online platform shall remove such ma-
17 terials and use reasonable efforts to inform recipi-
18 ents of such materials that the materials were dis-
19 seminated by a foreign agent on behalf of a foreign
20 principal.”.

21 (2) EFFECTIVE DATE.—The amendment made
22 by paragraph (1) shall apply with respect to mate-
23 rials disseminated on or after the expiration of the
24 60-day period which begins on the date of the enact-
25 ment of this Act.

1 (d) DEFINITION.—Section 1 of such Act (22 U.S.C.
2 611) is amended by inserting after subsection (i) the fol-
3 lowing new subsection:

4 “(j) The term ‘online platform’ means any public-fac-
5 ing website, web application, or digital application (includ-
6 ing a social network, ad network, or search engine).”.

7 **SEC. 7106. CLARIFICATION OF TREATMENT OF INDIVID-**
8 **UALS WHO ENGAGE WITH THE UNITED**
9 **STATES IN POLITICAL ACTIVITIES FOR A**
10 **FOREIGN PRINCIPAL IN ANY PLACE AS**
11 **AGENTS OF FOREIGN PRINCIPALS.**

12 Section 1(c)(1)(i) of the Foreign Agents Registration
13 Act of 1938, as amended (22 U.S.C. 611(c)(1)(i)) is
14 amended by inserting after “United States” the following:
15 “(whether within or outside of the United States)”.

16 **SEC. 7107. ANALYSIS AND REPORT ON CHALLENGES TO EN-**
17 **FORCEMENT OF FOREIGN AGENTS REG-**
18 **ISTRATION ACT OF 1938.**

19 (a) ANALYSIS.—The Attorney General shall conduct
20 an analysis of the legal, policy, and procedural challenges
21 to the effective enforcement of the Foreign Agents Reg-
22 istration Act of 1938, as amended (22 U.S.C. 611 et seq.).

23 (b) REPORT.—Not later than 180 days after the date
24 of the enactment of this Act, the Attorney General shall
25 submit to Congress a report on the analysis conducted

1 under subsection (a), and shall include in the report such
2 recommendations, including recommendations for revi-
3 sions to the Foreign Agents Registration Act of 1938, as
4 the Attorney General considers appropriate to promote the
5 effective enforcement of such Act.

