

# Repelling Encroachment by Foreigners into U.S. Elections (REFUSE) Act

Representative Marcy Kaptur (D-OH-09)

Endorsed by: Public Citizen, Common Cause, the Campaign Legal Center, and the Sunlight Foundation

**The REFUSE Act would stem the flow of foreign money in American elections and increase transparency around foreign election influence through two major reforms. First**, the bill would prohibit election spending by foreign-influenced corporations (including through connected PACs) and foreign-affiliated 501(c)(4) organizations. **Second**, the bill would modernize and tighten the reporting requirements of the Foreign Agents Registration Act (FARA) and expand the Department of Justice’s FARA enforcement authority.

## *The REFUSE Act:*

- **Bans foreign-influenced corporations from contributing to our elections.** The bill expands the definition of “foreign national” under the Federal Election Campaign Act to include separate segregated funds of corporations incorporated or with their principle place of business in a foreign country \*and\* American corporations that are foreign-influenced. A corporation is “foreign influenced” if foreign nationals directly connected with foreign governments control 5% total equity or foreign nationals not directly connected with a foreign governments control 20% total equity.
- **Bans foreign-affiliated 501(c)(4) dark money groups from spending on our elections.** A 501(c)(4) is “foreign affiliated” if foreign nationals directly connected with foreign governments provide 5% total funding or foreign nationals not directly connected with foreign governments provide 20% total funding. These groups can’t contribute to super PACs, make independent expenditures, or distribute electioneering communications.
- **Requires candidates for political office to disclose contacts with lobbyists working on behalf of foreign interests who donate to their campaigns.**
- **Bans foreign spending on state or local ballot initiatives or referendums.** The bill expands the ban prohibiting foreign nationals from contributing to elections under Section 319 of FECA to include state or local ballot initiatives or referendums.
- **Repeals the exemption from Foreign Agents Registration Act registration requirements for lobbyists registered under the Lobbying Disclosure Act, increases the frequency of required FARA filings: from biannual to quarterly, and requires the FARA database to be fully digitized and searchable.**
- **Conveys civil investigative authority to the Attorney General to enforce FARA, gives the AG authority to establish and collect registration filing fees to pay for the FARA Registration Unit (responsible for the administration and enforcement of FARA), and requires the AG to promulgate final regulations for the implementation of a comprehensive strategy to improve FARA enforcement and administration.**