



**DESCRIPTION OF THE CHAIRMAN’S AMENDMENT
IN THE NATURE OF A SUBSTITUTE TO H.R. 8293,
THE “AMERICAN DONOR PRIVACY AND FOREIGN
FUNDING TRANSPARENCY ACT”**

The Chairman’s amendment in the nature of a substitute strikes the language of the bill and replaces it with similar language that provides that only section 501(c) organizations that are “specified tax exempt organizations” are subject to the reporting requirements with respect to foreign-source contributions. For this purpose, the term “specified tax exempt organization” means, with respect to any taxable year, a section 501(c) organization that is required to file an annual return for the taxable year, if (1) the gross receipts of the organization for the taxable year equal or exceed \$200,000, or (2) the assets of the organization (determined as of the close of the taxable year) equal or exceed \$500,000.

For purposes of the reporting requirements, the amendment clarifies that a specified tax exempt organization must provide the following information: (1) the aggregate amount of contributions received from foreign nationals during the taxable year, and (2) the aggregate amount of contributions described in (1), stated separately with respect to each foreign country with respect to which any contributions were received. Under the amendment, a “foreign national” means (1) a foreign principal, except that the term “foreign national” does not include any individual who is a U.S. citizen, or (2) an individual who is not a U.S. citizen or a national of the United States, and who is not lawfully admitted for permanent residence.¹

The amendment further provides that the foreign country with respect to which a contribution is received is (1) in the case of a contribution received from an individual, each foreign country of which the individual is a citizen, and (2) in the case of any other contribution, the foreign county under the laws of which the person making the contribution was created or organized.

The amendment also replaces the word “subsection” with “section” in the effective date for the portion of the bill relating to the disclosure of foreign-source contributions.

¹ As defined in sec. 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. sec. 30121(b)).