

116TH CONGRESS
2D SESSION

S. _____

To prohibit the use of United States embassies or consulates in raising funds for foreign political parties or candidates.

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To prohibit the use of United States embassies or consulates in raising funds for foreign political parties or candidates.

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 “Opposing Foreign
5 Fundraising at United States Embassies Act of 2020” or
6 the “OFF U.S. Embassies Act of 2020”.

7 **SEC. 2. FINDINGS.**

8 Congress makes the following findings:

9 (1) The promotion of democratic institutions
10 and free and fair elections is a key foreign policy ini-

1 tiative of the United States, carried out by the De-
2 partment of State through its embassies, diplomats,
3 programs, and policies around the world.

4 (2) Meeting with and building relationships
5 with a range of political parties in foreign countries
6 are appropriate and important functions consistent
7 with the duties of any United States Ambassador or
8 representative of the United States Government
9 abroad.

10 (3) It is the longstanding and bipartisan prac-
11 tice of the United States to encourage democratic
12 norms, free and fair elections, rule of law, and free
13 speech abroad, without regard for political party or
14 affiliation.

15 (4) The use of United States embassy or con-
16 sulate grounds, or the grounds of any other United
17 States diplomatic post, to raise funds for any foreign
18 political party or candidate in a foreign democratic
19 electoral process is inappropriate and distinct from
20 longstanding Department of State efforts to engage
21 with foreign persons, including democracy activists
22 and representatives of political parties, to advance
23 democratic institutions and universal values around
24 the world.

1 (5) On September 10, 2020, United States Am-
2 bassador to the Netherlands Pete Hoekstra held a
3 private event for a Dutch political party and its do-
4 nors at the United States Embassy in The Hague.

5 (6) The invitations to the event asked guests to
6 join the United States Embassy “at the invitation of
7 the Forum for Democracy and Pete Hoekstra,” and
8 included contact details for the “Head of Fund-
9 raising” of that foreign political party.

10 (7) Prior donors to the political party were in-
11 vited and attended the event at the United States
12 Embassy.

13 (8) The leader of the foreign political party
14 used the event at the United States Embassy to
15 speak about campaign strategy and to display a
16 video made ahead of the 2021 electoral campaign in
17 the Netherlands.

18 (9) Following news reports highlighting the
19 similarities between the September 10, 2020, event
20 held at the United States Embassy and a political
21 fundraiser, Dutch lawmakers raised concerns, with
22 one member of parliament calling on the Dutch For-
23 eign Ministry to investigate whether Ambassador
24 Hoekstra had “facilitated a fund raising event for a
25 political party”.

1 (10) Such behavior is part of a pattern in which
2 Department of State officials under President Don-
3 ald J. Trump have publicly engaged in political ac-
4 tivities that break with the longstanding practice of
5 not using one’s official position to lend support to
6 particular parties or candidates, domestic or foreign,
7 with whom one shares a partisan affinity.

8 (11) In 2018, United States Ambassador to
9 Germany Richard Grenell said, from his official resi-
10 dence in Berlin, “I absolutely want to empower
11 other conservatives throughout Europe” and praised
12 the leader of an Austrian political party, leading
13 multiple German political figures to publicly rebuke
14 the United States Ambassador for political inter-
15 ference.

16 **SEC. 3. PROHIBITION ON HOSTING OF FOREIGN PARTY PO-**
17 **LITICAL EVENTS AT UNITED STATES EMBAS-**
18 **SIES.**

19 (a) **IN GENERAL.**—No Federal funds may be obli-
20 gated or expended to host a fundraising event for, or on
21 behalf of, a foreign political party or candidate at a United
22 States embassy or consulate or any other United States
23 diplomatic post.

24 (b) **FUNDRAISING EVENT DEFINED.**—In this section,
25 the term “fundraising event” means an event intended to

1 raise funds for, or on behalf of, a political party or can-
2 didate, including by knowingly facilitating contact between
3 potential donors and political parties or candidates for
4 fundraising purposes.

5 (c) RESTRICTION ON ENTERTAINMENT AND REP-
6 RESENTATION EXPENSES.—Section 905 of the Foreign
7 Service Act of 1980 (22 U.S.C. 4085) is amended by add-
8 ing at the end the following: “The Secretary may not pro-
9 vide for official receptions or pay expenses related to ac-
10 tivities by the Department or the Service, hosted by a
11 United States embassy or consulate or other United States
12 diplomatic post, intended to raise funds for or on behalf
13 of a foreign political party or candidate.”.

14 (d) ADDITIONAL RESTRICTION ON EXPENDI-
15 TURES.—Section 4(b)(2)(H) of the State Department
16 Basic Authorities Act of 1956 (22 U.S.C. 2671(b)(2)(H))
17 is amended by inserting “, other than functions at a
18 United States embassy or consulate or any other United
19 States diplomatic post intended to raise funds for or on
20 behalf of a foreign political party or candidate” after “al-
21 lowances”.

22 (e) REVISION OF DSSR AND FAM.—

23 (1) IN GENERAL.—The Secretary of State shall
24 revise the Department of State Standardized Regu-
25 lations (DSSR) and the Foreign Affairs Manual

1 (FAM) to prohibit the use of a United States em-
2 bassy or consulate or any other United States diplo-
3 matic post in a manner intended to raise funds for
4 or on behalf of a foreign political party or candidate,
5 reflect the prohibitions on expenditures under this
6 section, and discourage any activity hosted by a
7 United States embassy or consulate or other United
8 States diplomatic post that could be construed as
9 promoting the financial interest of any foreign polit-
10 ical party or candidate relative to others engaged in
11 a democratic electoral process.

12 (2) CERTIFICATION.—Not less than 90 days
13 after the date of the enactment of this Act, the Sec-
14 retary shall certify to the appropriate congressional
15 committees that the revisions required under para-
16 graph (1) have been made.

17 (3) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES DEFINED.—In this subsection, the term “ap-
19 propriate congressional committees” means the
20 Committee on Foreign Relations of the Senate and
21 the Committee on Foreign Affairs of the House of
22 Representatives.