

116TH CONGRESS  
2D SESSION

# S. 4832

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

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 21 (legislative day, OCTOBER 19), 2020

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

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## 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.

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