

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1049
OFFERED BY MR. MACKENZIE OF PENNSYLVANIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Transparency in Re-
3 porting of Adversarial Contributions to Education Act” or
4 the “TRACE Act”.

**5 SEC. 2. PARENTS’ RIGHT TO KNOW ABOUT FOREIGN INFLU-
6 ENCE.**

7 (a) IN GENERAL.—Subpart 2 of part F of title VIII
8 of the Elementary and Secondary Education Act of 1965
9 (20 U.S.C. 7901 et seq.) is amended by adding at the end
10 the following:

**11 “SEC. 8549D. PARENTS’ RIGHT TO KNOW ABOUT FOREIGN
12 INFLUENCE.**

13 “(a) IN GENERAL.—As a condition of receiving funds
14 under this Act, a local educational agency shall ensure
15 that each elementary school and each secondary school
16 served by such agency provides to each parent of a child
17 attending the school, at a minimum—

1 “(1) the right (in a manner consistent with
2 copyright law) to review, and make copies of free of
3 cost, at least every four weeks and not later than 30
4 days after submission of a written request by the
5 parent, any curricular material or professional devel-
6 opment material used at the school that was pur-
7 chased, or otherwise obtained, using funds received
8 from the government of a foreign country or a for-
9 eign entity of concern;

10 “(2) the right to know, by written response pro-
11 vided not later than 30 days after submission of a
12 written request by the parent, how many personnel
13 of the school are compensated, in whole or in part,
14 using funds received from the government of a for-
15 eign country or a foreign entity of concern; and

16 “(3) the right to know, by written response pro-
17 vided not later than 30 days after submission of a
18 written request by the parent, of—

19 “(A) any donation received by the school
20 or local educational agency from a foreign coun-
21 try or a foreign entity of concern;

22 “(B) any agreement in writing (such as a
23 contract or memorandum of understanding) be-
24 tween the school or local educational agency

1 and a foreign country or a foreign entity of con-
2 cern; and

3 “(C) any financial transaction between the
4 school or local educational agency and a foreign
5 country or a foreign entity of concern.

6 “(b) DONATIONS, AGREEMENTS, AND FINANCIAL
7 TRANSACTIONS.—The information described in subsection
8 (a)(3) shall include, at minimum, the following:

9 “(1) The name of the foreign country or foreign
10 entity of concern.

11 “(2) In any case in which funds were received
12 by the school or local educational agency from a for-
13 eign country or a foreign entity of concern—

14 “(A) the amount of such funds; and

15 “(B) any terms or conditions applicable to
16 the receipt of such funds.

17 “(c) NOTICE OF RIGHTS.—At the beginning of each
18 school year, a local educational agency receiving funds
19 under this Act shall ensure that each elementary school
20 and each secondary school served by such agency posts
21 on a publicly accessible website of the school or, if the
22 school does not operate a website, widely disseminates to
23 the public, a summary notice of the rights of parents de-
24 scribed in subsections (a) and (b).

1 “(d) NOTIFICATION OF REQUIREMENTS.—At the be-
2 ginning of each school year, the Secretary shall notify
3 State educational agencies about the requirements of this
4 section. As a condition of receiving funds under this Act,
5 State educational agencies shall, at the beginning of each
6 school year, notify local educational agencies of the re-
7 quirements of this section.

8 “(e) DEFINITIONS.—In this section:

9 “(1) The term ‘foreign country’ means a for-
10 eign country or a dependent territory or possession
11 of a foreign country. Such term does not include any
12 of the outlying areas.

13 “(2) The term ‘foreign entity of concern’ has
14 the meaning given such term in section 10612(a) of
15 the Research and Development, Competition, and
16 Innovation Act (42 U.S.C. 19221(a)).”.

17 “(b) TABLE OF CONTENTS.—The table of contents in
18 section 2 of the Elementary and Secondary Education Act
19 of 1965 is amended by inserting after the item relating
20 to section 8549C the following:

“Sec. 8549D. Parents’ right to know about foreign influence.”.

