



LEGISLATIVE ALERT

July 21, 2026

Dear Chairman Smith, Ranking Member Neal, and Members of the House Committee on Ways and Means:

On behalf the AFL-CIO, I urge you to oppose the following bills that are scheduled for markup on July 22, 2026:

- H.R. 9771, Stopping Foreign Influence in Elections Act of 2026
- H.R. 9772, Foreign Funding Transparency Act

The AFL-CIO supports existing federal law that already prohibits foreign nationals from making contributions, donations, or expenditures in connection with federal, state, and local elections. These bills, however, pose serious risks to working Americans' constitutional rights, particularly those represented by labor organizations.

H.R. 9771 takes aim at American nonprofit organizations, including labor unions, that fight for everyday people. It would inhibit their participation in the political process if a single penny from a foreign national hits their treasuries. The bill targets “contributions” from foreign nationals without providing any clear definition of what a contribution is. (The bill’s reference to Section 6033(b)(5) of the Internal Revenue Code is inapposite – that provision merely tells a 501(c)(3) organization, even though the bill applies to all 501(c) organizations, to report its contributions, which the IRS’s regulations instruct are defined by “all the surrounding facts and circumstances.” *See* 26 C.F.R. § 1.6033-2(a)(2)(ii)(A).) If “contribution” in the context of a labor union were to be interpreted to mean union dues, then any time an employer hires a guestworker or a person with temporary protected status, and that worker exercises their fundamental right to join the union and pay dues, the union would be disqualified from donating to a PAC or a 501(c)(4) or face dire tax consequences.

Labor unions take the workforce as an employer employs it and represent all the workers in a bargaining unit. A represented employer could hire one foreign national into the bargaining unit. That foreign national could be fully authorized to work in this country. Once the employer places that foreign national into the bargaining unit, the union is obligated to represent them, and they are entitled to participate. When they pay their dues to the union and any portion of those dues is considered a contribution under H.R. 9771, the union’s right to fully participate in the political process is restricted by the bill. As a result, the bill forces one of two consequences: knocking unions out of the political process or dividing the workforce and weakening unions. Both consequences are plainly to the detriment of U.S. workers.

To put a finer point on it, while targeting the nonprofit organizations of everyday Americans, the bill leaves alone the ability of foreign corporations' U.S. subsidiaries to spend money to influence election outcomes, even though astronomically more foreign money than a worker's monthly dues can flow through that arrangement.

H.R. 9772 would require non-profit organizations, including labor unions, to identify, track, certify, and publicly disclose "contributions" from foreign nationals. Again, the legal uncertainty of whether union membership dues constitute contributions comes into play. If any dues are considered to be "contributions," H.R. 9772 would require unions to inquire into the citizenship *of every member* and maintain lists that *group members by their nationality*. Unions represent a workforce as it is hired by the employer. That workforce may include both U.S. citizens and foreign nationals as defined by this bill, which means the bill imposes a significant and divisive burden on labor unions.

These bills threaten the political voice of everyday Americans while protecting the voices of multinational corporations, wherein foreign money may flow from overseas to U.S. subsidiaries and into politics. Working people need more voice in our political process, not less. We urge you to oppose both of these bills.

Sincerely,

A handwritten signature in black ink, appearing to read "Jody Calemine". The signature is fluid and cursive, with the first name "Jody" and last name "Calemine" clearly distinguishable.

Jody Calemine
Director, Government Affairs