



# Department of Justice

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## FOREIGN AGENTS REGISTRATION ACT FACT SHEET

### Background on FARA

The Foreign Agents Registration Act (FARA), enacted in 1938, helps protect the integrity of American democracy by combating covert foreign government influence in our political process. It requires the foreign principal to be transparent about specified activities by requiring persons in the United States who act as their agents to register with the Department of Justice unless they are exempt.

More specifically, FARA requires those acting in a political or quasi-political capacity to make periodic public disclosure of their relationship with a foreign principal, as well as their activities themselves, receipts and disbursements in support of those activities, and to label and file informational materials they disseminate in connection with those activities.

FARA is designed to foster transparency into efforts by foreign entities to influence the U.S. government or public through public speech, political activities, and lobbying. FARA is not intended to discourage this conduct itself, rather the Act's purpose is to ensure that the American public and lawmakers know the source of information that is provided at the request of a foreign principal.

### DOJ Resources in Regards to Foreign Influence

The National Security Division added a new deputy section chief to lead all FARA efforts.

Trial Attorneys in the Counterintelligence and Export Control Section, as well as federal prosecutors around the country, have been investigating and enforcing FARA matters that were once handled almost solely by the FARA Unit. This expansion of resources available to handle FARA matters, combined with the investigative and litigation skills those attorneys bring to bear, have improved the effectiveness of our inquiries and, where necessary, enforcement actions.

In the fall of 2017, the FBI established the Foreign Influence Task Force (FITF) to identify and counteract malign foreign influence operations targeting the United States. Although initially focused on efforts by the Russian Federation, the FITF now addresses malign foreign influence threats regardless of origin and will help ensure that the Department's criminal investigations of malign foreign influence (and FARA enforcement) receive required investigative resources.

The FARA.gov website now enables searches of the Department's more than 80,000 FARA filings now online, including (for the first time) through key-word searches.

The DOJ has just launched a new process for filing documents pursuant to FARA. This upgraded filing system (“eFile”) will allow registrants to submit data through a self-guided, web-based questionnaire, rather than by filling out and uploading PDFs.

The DOJ now publishes our advisory opinions online. The opinions provide clarity and transparency on how the Department interprets FARA, and facilitate compliance. We’re on pace to exceed or match the number of opinions we issued last year, which at the time was a record number – exceeding the number of all opinions issued in the preceding five years combined.

### By the Numbers

- **Criminal Cases:** In 2018 alone, more than twenty individuals and entities were criminally charged with violations involving FARA. That is more than the number of individuals and entities charged in all of the prior 50 years.
- **Civil Cases:** In May, the Division used its civil enforcement authority for the first time since 1991 to obtain a court order requiring RM Broadcasting to register as the agent of a Russian state-owned media enterprise.
- **Registration Numbers:** At current rates, the Department is on track to double the number of new registrants and new foreign principals registering annually as of 2016. Moreover, almost twice the number of individuals who work for registrants (known as “short-form registrants”) have registered, increasing transparency concerning the individuals (and not just the entities) engaged in foreign influence activities.

<b>Number of FARA Registrants by year</b>	<b>2010</b>	<b>2016</b>	<b>2019 (Projected)</b>
New Registrants	45	69	93 (140 projected)
New Foreign Principals	137	143	199 (300 projected)
New Short Form Registrants	508	553	673 (1009 projected)

- **Inspections:** 2019 – 20; 2010-2018 – 14 or 15/year

### Recent Cases

- *May 7, 2018*— In 2018, Nisar Ahmed Chaudhry pleaded guilty in the District of Maryland for failing to register under FARA as an agent for the Government of Pakistan, including its military, intelligence and diplomatic officials. ([release](#))
- *October 19, 2018*— In 2018, Elena Alekseevna Khusyaynova, a Russian national, was charged by criminal complaint in the Eastern District of Virginia for her alleged role in a Russian conspiracy to interfere in the U.S. political system, including the 2018 midterm election. The complaint alleges that Khusyaynova conspired to defraud the United States by impairing, obstructing, and defeating the lawful functions of the U.S. Department of Justice to administer and enforce FARA, among other offenses. ([release](#))

- *January 17, 2019* – Prominent global law firm Skadden agreed to register as an agent of a foreign principal after admitting the Skadden acted as an agent of the Government of Ukraine by contributing to a public relations campaign directed at select members of the U.S. news media in 2012. ([release](#))
- *May 13, 2019* – A court ruled that RM Broadcasting must register as a foreign agent under FARA. The Department of Justice contended in a civil counterclaim that RM Broadcasting has been acting as an agent of the FEDERAL Sate Unitary Enterprise Rossiya Segodnya International Information Agency, a Russian state-owned media enterprise by Vladimir Putin to advance Russian interests abroad. ([release](#))
- *July 23, 2019* – A federal jury convicted Bijan Rafiekian on charges of conspiring to act as an agent of a foreign government, conspiring to make false statement willful omissions in a FARA filing, and acting as an agent of a foreign government (on Sept. 24<sup>th</sup>, a judge overturned the jury verdict and DOJ is reviewing the Court’s opinion in the matter).

### **How does the Act work?**

- The Act requires every agent of a foreign principal, not otherwise exempt, to register with the Department of Justice and file forms outlining its agreements with, income from, and expenditures on behalf of, the foreign principal. These forms are public records and must be supplemented every six months.
- The Act also requires that informational materials (formerly referred to as propaganda) be labeled with a conspicuous statement that the information is disseminated by the agents on behalf of the foreign principal. The agent must also provide copies of such materials to the Attorney General.
- Any agent testifying before a committee of Congress must furnish the committee with a copy of his most recent registration statement.
- The agent must keep records of all his activities and permit the Attorney General to inspect them.