



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

MAY 16 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Grassley:

This responds to your letter to Acting Deputy Attorney General, dated March 31, 2017, regarding the applicability of the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 *et seq.* ("FARA" or "the Act") to allegations in a complaint filed with the Department of Justice (the Department) on July 15, 2016 by Mr. William Browder that certain pro-Russia lobbyists engaged in activities which would require them to register under FARA ("the Browder complaint"). The Department appreciates your interest in FARA and we assure you that FARA is an active, integral part of the Department's overall strategy to address threats to U.S. national security, and that enforcement of the Act is conducted evenhandedly.


As we have indicated in previous correspondence, when questions regarding a possible obligation to register come to the attention of the FARA Unit in the Department's National Security Division, such as the Browder complaint, the material is reviewed and, if warranted, a letter of inquiry is sent to the appropriate individual or entity. Through these letters of inquiry, the FARA Unit notifies the parties of the potential registration obligation, seeks additional information, and, based on any response, subsequently makes a determination as to whether a registration obligation exists. These letters of inquiry are considered non-public investigative activity, and therefore, consistent with longstanding Department of Justice practice, we neither confirm nor deny such actions, nor any other actions that would constitute investigative activity. For these same reasons, we are not in a position to confirm or deny the existence of documents or other information that you requested.

Similarly, in response to your last question, we want to advise you that the Department does not comment on the existence or nonexistence of requests for advisory opinions under 28 C.F.R. § 5.2. Further, all such requests are considered confidential in accordance with 28 C.F.R. § 5.2 (m) which states "[a]ny written material submitted pursuant to a request made under this section [28 C.F.R. § 5.2] shall be treated as confidential and shall be exempt from disclosure."

The Honorable Charles E. Grassley
Page Two

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,


Samuel R. Ramer
Acting Assistant Attorney General

cc: The Honorable Dianne Feinstein
Ranking Member

The Honorable Ben Cardin
United States Senate

The Honorable John McCain
United States Senate

The Honorable Ed Royce
Chairman
House Committee on Foreign Affairs

The Honorable Eliot L. Engel
Ranking Member
House Committee on Foreign Affairs

Caplin & Drysdale,
Chartered