

U.S. House of Representatives
Committee on the Judiciary

Washington, DC 20515-6216
One Hundred Sixteenth Congress

April 17, 2019

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Dear Attorney General Barr:

On April 11, 2019, Greg Craig, former White House Counsel for President Obama, was indicted for making false and misleading statements about registering under the Foreign Agents Registration Act (FARA) regarding work he did for the Ukrainian government in 2012.¹ Mr. Craig's former law firm has already agreed to a \$4.6 million settlement with the Department for FARA violations related to the work it did for the Ukrainian government.² Prosecutors are also investigating potential FARA violations by Democratic lobbyist Tony Podesta and former congressman Vin Weber for work they performed for the Ukrainian government.³

FARA was originally enacted in 1938 to counteract German propaganda prior to World War II.⁴ It initially required individuals engaged in propaganda on behalf of foreign principals to register with the government and disclose information about their clients, activities, and contract terms.⁵ FARA was amended in 1966 to shift the focus to agents representing the economic interests of foreign principals. The law was further amended in 1995 as part of broader reforms to lobbying disclosure laws.⁶ FARA does not prohibit any specific activities.⁷ Instead, it requires "agents of foreign principals" conducting certain

¹ Indictment, *United States v. Craig*, No. [] (D.D.C. Apr. 11, 2019).

² Department of Justice, RE: UKRAINE MATTER, Jan. 15, 2019, available at <https://www.justice.gov/opa/press-release/file/1124381/download>.

³ See Kenneth Vogel, "Firms Recruited by Paul Manafort are Investigated Over Foreign Payments," N.Y. TIMES, Feb. 5, 2019, available at <https://www.nytimes.com/2019/02/05/us/politics/paul-manafort-news-ukraine.html>.

⁴ Jacob Straus, "Foreign Agents Registration Act: An Overview," CRS, Mar. 7, 2019, available at <https://fas.org/sgp/crs/misc/IF10499.pdf>. It has also been reported Tony Podesta's lobbying firm represented Russian-owned Uranium One and did not register under FARA. See, e.g., Richard Pollock, "Tony Podesta Lobbied for Russia's 'Uranium One' and Did Not File as a Foreign Agent," THE DAILY CALLER, Nov. 5, 2017, available at <https://dailycaller.com/2017/11/05/tony-podesta-lobbied-for-russias-uranium-one-and-did-not-file-as-a-foreign-agent/>.

⁵ *Id.*

⁶ Cynthia Brown, "The Foreign Agents Registration Act (FARA): A Legal Overview," CRS, Dec. 4, 2017, available at <https://fas.org/sgp/crs/misc/R45037.pdf>.

⁷ *Id.*

The Honorable William P. Barr
April 17, 2019
Page 2

activities on behalf of foreign interests to register with the Department and make other disclosures.⁸

In 2016, the Department's Office of the Inspector General issued a report on FARA enforcement and found the Department lacked a comprehensive strategy for enforcement.⁹ Until recently, FARA had generally been treated as a disclosure statute that was rarely criminally enforced. From 1966 until 2015, the Department pursued only seven FARA cases.¹⁰

Last month John Demers, Assistant Attorney General of the National Security Division, announced the Department plans to overhaul the FARA unit and pursue more FARA cases.¹¹ Demers said Brandon Van Grack, deputy chief in the counterespionage unit and former member of Special Counsel Robert Mueller's team, would oversee the FARA unit.¹²

As ranking member of the House Judiciary Committee, I support the Department's efforts to overhaul the FARA unit and increase transparency about foreign influence in the United States. I write to offer my assistance in this enterprise. My staff is available to consult with the FARA unit on how the Committee can best help the Department's new initiative, whether that is promoting new amendments to the law or ensuring the Department has all resources necessary to pursue these cases.

If you would like to discuss these matters in greater detail, please contact Committee staff at (202) 225-6906. Thank you for your attention to this matter.

Sincerely,



Doug Collins
Ranking Member

cc: The Honorable Jerrold Nadler, Chairman

⁸ 22 U.S.C. § 611 et seq.

⁹ U.S. Dept. of Justice Office of the Inspector Gen., Audit of the Nat'l Sec. Div.'s Enf't and Admin. of the Foreign Agents Registration Act, Sept. 2016, available at <https://oig.justice.gov/reports/2016/a1624.pdf>.

¹⁰ *Id.* at 8.

¹¹ Katie Benner, "Justice Dept. to Step Up Enforcement of Foreign Influence Laws," N.Y. TIMES, Mar. 6, 2019, available at <https://www.nytimes.com/2019/03/06/us/politics/fara-task-force-justice-department.html>.

¹² *Id.*