

ALERT

# Congressman Henry Cuellar's Federal Charges Include Acting as a Foreign Agent

May 8, 2024

Representative Henry Cuellar (D-TX) and his wife, Imelda Cuellar, are facing federal charges of bribery, money laundering, and violations of the ban against public officials serving as foreign agents required to register under the Foreign Agents Registration Act (FARA).

In a federal indictment made public last week, Rep. Cuellar and his wife allegedly accepted over \$600,000 in bribes from 2014 through 2021 from an oil company wholly owned by the Government of Azerbaijan, and from a bank headquartered in Mexico City. The Cuellars allegedly received bribes through false contracts and three different shell companies owned by Ms. Cuellar. The indictment alleges that "in exchange for the bribe payments to [Ms. Cuellar], [Rep. Cuellar] agreed to perform official acts in his capacity as a Member of Congress, to commit acts in violation of his official duties, and to act as an agent of the Government of Azerbaijan and Foreign Bank-1."

Among the federal charges against Rep. Cuellar are two counts of violating the ban on public officials acting as foreign agents required to register under FARA. Pursuant to 18 U.S.C. § 219, a conflict-of-interest statute related to FARA, it is a criminal offense for a "public official" of the United States in the executive, legislative, or judicial branches to be or to act as an agent of a foreign principal required to register under FARA. According to DOJ, Rep. Cuellar should have registered because: "Congressman Cuellar allegedly agreed to use his office to influence U.S. foreign policy in favor of Azerbaijan. In exchange for the bribes paid by the Mexican bank, Congressman Cuellar allegedly agreed to influence legislative activity and to advise and pressure high-ranking U.S. Executive Branch officials regarding measures beneficial to the bank."

## Authors

Tessa Capeloto  
Partner  
202.719.7586  
tcapeloto@wiley.law  
Caleb P. Burns  
Partner  
202.719.7451  
cburns@wiley.law

## Practice Areas

Foreign Agents Registration Act (FARA)

Notably, this is the second instance in which a sitting Member of Congress has been charged with FARA-related violations, following closely behind Sen. Menendez's indictment last October for acting as an unregistered agent of the Government of Egypt. Sen. Menendez's trial is set to begin this month. This indictment signals DOJ's continued efforts to bolstering transparency of foreign influence through robust enforcement. The Cuellars appeared in court on Friday in Houston and pled not guilty.

Wiley's FARA Handbook provides additional information on FARA. Please contact the attorneys listed on this alert with any questions.

---

*Maddie Van Aken, a Legislative and Reporting Coordinator at Wiley Rein LLP, contributed to this alert.*