

ALERT

Deputy Attorney General Signals DOJ Movement on FARA Reform

April 3, 2023

On March 28, 2023, The Honorable Lisa O. Monaco, Deputy Attorney General of the United States, provided remarks on the Department of Justice's (DOJ) forthcoming efforts to bolster national security in connection with the 2023 Summit for Democracy. In a session titled "Defending the Rule of Law Against Hostile Nation States," Monaco highlighted strategic efforts by the DOJ aimed at combating foreign corruption abroad and within the United States. Specifically, Monaco spoke to the DOJ's efforts at strengthening enforcement of the Foreign Agent Registration Act (FARA). FARA reform has been gaining momentum in Congress and the DOJ in recent years, in efforts to increase transparency of foreign activities and lobbying efforts in the United States.

"The American people have a right to know when a foreign government seeks to influence policy decisions or public opinion here in the United States of America," said Monaco. She also indicated that DOJ plans on issuing new rules in the coming months clarifying the registration requirements under FARA. In addition, Monaco spoke to the DOJ's efforts in conjunction with Congress to modernize FARA and to provide the "tools needed in today's threat environment," to combat foreign adversaries' "malign influence." Legislative activity surrounding FARA reform has ramped up in the past two sessions of Congress. Notable bipartisan efforts have been aimed at amending FARA to remove registration exemptions in attempts to address prominent registration loopholes and increase DOJ enforcement capabilities. The Foreign Agents Disclosure and Registration Enhancement Act, introduced in 2022, sought to increase FARA violation fines and provide the DOJ with increased capabilities when investigating compliance matters. Additionally, the PAID OFF Act, a

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bill intended to address the LDA and Trade/Commerce exemptions under FARA, was reintroduced into the 118th Congress in February. Monaco's comments on FARA reform speak to a heightened era of transparency and signal further movement by the DOJ on bolstering registration enforcement.

Wiley attorneys routinely handle matters on all aspects of FARA compliance, from counseling clients on whether registration is required, to assisting clients with completing and executing their FARA filings, and recently reissued its FARA Handbook, available [here](#). To read more about recent legislative developments in FARA, check out Wiley's 2023 FARA Preview [here](#). For more information on FARA and our related capabilities, please contact the lawyer listed on this alert.

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