

House Committee on Oversight Calls for FARA Enforcement

February 26, 2024

House Committee on Oversight and Accountability Chairman Rep. James Comer (R-KY) recently announced that the Committee is conducting oversight of the U.S. Department of Justice's (DOJ) administration and enforcement of the Foreign Agents Registration Act (FARA) and, specifically, DOJ's lack of FARA enforcement with respect to activities undertaken by certain entities in the United States.

Earlier this month, Chairman Comer sent a letter to Attorney General Merrick Garland explaining the Committee's intent to examine DOJ's "administration, enforcement, and recordkeeping practices associated with delays or decisions not to enforce FARA compliance with certain entities." In this letter, Chairman Comer explained that "as two prominent examples, statements by Administration officials and other material in the public record indicate the Department appears to have considered extra-legal factors in passing on or delaying FARA registration enforcement requirements for news media company Al Jazeera and social media company TikTok." While there have been both congressional and public calls for both the U.S.-based affiliate of Al Jazeera and TikTok to register under FARA, both remain unregistered.

Chairman Comer requested that DOJ provide the Committee with all documents and communications related to DOJ's decision-making process when determining whether to enforce FARA registration; any documentation on the status of FARA-related investigations into both companies; any letters of inquiry or determination that DOJ has sent to either company or affiliated entities; any communications between DOJ and the U.S. Department of State relating to Al Jazeera's FARA registration; and any documents or guidelines relating to the FARA

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Unit's recordkeeping practice, including how the Unit categorizes the status of administrative, civil, and criminal inquiries and investigations. Chairman Comer requested that all such documents be provided by DOJ no later than February 22, 2024.

This most recent congressional effort reflects a continuing focus on FARA enforcement and reform by U.S. policymakers. 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. Wiley recently reissued its FARA Handbook, available [here](#). For more information on FARA and our related capabilities, please contact the lawyer listed on this alert.

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