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Foreign Lobbying in the U.S.

JULY 2024 | QUINCY BRIEF NO. 59

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Executive Summary

This brief takes a deep dive into a newly available tranche of data tracking foreign influence in the U.S. political process. The new data was released in early 2024 following reforms to the Foreign Agents Registration Act (FARA), which made access to all foreign registrants' political activities and campaign contributions publicly available. The brief unearths a complex web of foreign influence in the United States — with countries like Saudi Arabia, Ukraine, the Democratic Republic of Congo and Azerbaijan reaping the benefits of massive political influence campaigns.

Influence operations today often follow a standard playbook: outside countries use firms based in Washington to lobby active members of Congress in pursuit of various aims — such as receiving U.S. weapons, currying American favor in regional conflicts, and more general reputation laundering. In 2022 and 2023, FARA registrants reported \$14.3 million in political contributions and nearly 130,000 political activities.

This relationship between lobbyists representing foreign countries and U.S. policymakers in itself is concerning, raising questions of whether politicians are really prioritizing the interests of their constituents, and of all Americans. To make matters worse, authoritarian regimes represent a majority of the most active countries — including Saudi Arabia and the UAE, which placed first and fourth, respectively, among the countries most engaged in political activities under FARA from 2022–23.

Greater FARA transparency is certainly a welcome development, but still more can be done to help Americans understand the who, what, and how of the foreign lobbying industry. For one, FARA registrants should be required to report a unique identifier for each office contacted, making it easier to determine lobbyists' contacts. Greater language specificity in the descriptions of political activities is also needed. In addition, Congress could pass legislation that would introduce civil fines on the underreporting of

political activities, although such a step should be accompanied by protections against the abuse of the FARA process.

Introduction

Stories of foreign powers influencing the U.S. political process regularly make front–page headlines. In the past year alone the Department of Justice indicted Senator Bob Menendez (D-NJ) and Representative Henry Cuellar (D-TX) for doing the bidding of foreign powers.

Despite this heightened focus on attempts by foreign actors to manipulate the U.S. political process, regulations surrounding the U.S.’s preeminent law for regulating foreign influence — the Foreign Agents Registration Act (FARA) — haven’t been updated in more than 15 years and FARA offers the public limited visibility into how foreign actors are *legally* attempting to mold U.S. policy as they see fit. Several organizations outside of government have attempted to fill this void and offer greater transparency into FARA. OpenSecrets’ “Foreign Lobby Watch” provides the public with an easily searchable database of all the money flowing from foreign clients to FARA registrants.¹ The Quincy Institute’s own briefs have provided the public with an in–depth understanding of the lobbying and public relations operations conducted on behalf of a number of countries, including Armenia, Azerbaijan, the United Arab Emirates (UAE), Russia, and Ukraine.² All these projects, however, provide only a partial glimpse into the foreign influence industry writ large and required an extraordinary amount of effort to ascertain information from notoriously opaque FARA filings.

Fortunately, earlier this year, the FARA unit at the Department of Justice took an immense step toward increasing the transparency of foreign lobbying in the United

¹ “Foreign Lobby Watch,” OpenSecrets, November, 2022, <https://www.opensecrets.org/fara>.

² Ben Freeman and Artin DerSimonian, “The Lobbying Battle for Nagorno-Karabakh,” Quincy Institute, June 18, 2024, <https://quincyinst.org/research/the-lobbying-battle-for-nagorno-karabakh/>; Ben Freeman, “The Emirati Lobby in America,” Quincy Institute, June 18, 2024, <https://quincyinst.org/research/the-emirati-lobby-in-america/>; Ben Freeman, “The Lobbying Battle Before the War: Russian and Ukrainian Influence in the U.S.,” Quincy Institute, June 18, 2024, <https://quincyinst.org/research/the-lobbying-battle-before-the-war-russian-and-ukrainian-influence-in-the-u-s/#executive-summary>.

States. For the first time, visitors to the FARA website can now search through databases of all registrants' political activities and campaign contributions. Previously, obtaining this information required weeks or months of tedious labor to collect for even one country. But now any policymaker, journalist, or member of the public can, with just a few clicks on the FARA website, find out what any foreign agent has been doing on behalf of their FARA clients.

This unprecedented level of FARA transparency and accessibility is a recommendation the Quincy Institute, in cooperation with the Project on Government Oversight, Democracy for the Arab World Now, Citizens for Responsibility and Ethics in Washington, and Demand Progress, made to the DOJ via a Public Comment submitted in June 2023.³ The result is a major leap forward in transparency that will make the data in FARA filings more accessible than ever before, and provide the public with an unprecedented understanding of how the agents of foreign actors are attempting to influence U.S. public opinion and U.S. public policy every single day.

This brief provides an overview and analysis of the extraordinary new tranche of FARA data, which includes more than \$14 million in campaign contributions made by registered foreign agents and nearly 130,000 political activities reported by FARA registrants in 2022 and 2023.⁴ From this data, we recorded and analyzed over 102,000 emails, 8,700 in-person meetings, 7,300 phone calls, 2,541 text exchanges, and 2,100 virtual meetings reported by registered foreign agents. These are what are known as “political activities” that, according to the FARA unit, are any activity intended to influence the U.S. government or public about U.S. policy or other foreign interests.⁵ These influence activities are most often directed at Congress, executive branch

³ “Public Comment to DOJ Regarding the Foreign Agents Registration Act (FARA) e-File System,” April 20, 2023, https://docs.google.com/document/d/127xpAMtg0XTdVC6T_vUw34MeQjVOFP6RGbJwdnD_Rwk/edit?usp=sharing.

⁴ The newly available data includes some data before 2022 and after 2023. However, as of this writing, these portions of the data were incomplete, with information available for some FARA registrants but not others. For this reason, this brief focuses solely on 2022 and 2023, which appear to be complete collections of the political activities and campaign contributions as reported by FARA registrants in those years.

⁵ “Foreign Agents Registration Act (FARA): A Legal Overview,” Congressional Research Service, updated March 9, 2023, <https://crsreports.congress.gov/product/pdf/IF/IF11439#:~:text=Third%2C%20an%20agent%20must%20act,intended%20to%20influence%20the%20U.S.>

agencies like the White House and State Department, media outlets, universities, and think tanks. While these activities go well beyond traditional lobbying targets (i.e., Congress) they will collectively be referred to here as foreign lobbying.

Due to the United States' size, power, and wide-open political system, there are many reasons why foreign governments would want to pay firms to leverage their connections, expertise, and contributions in order to curry influence, just as wealthy U.S. corporations do. However, it also means that U.S. policy can be skewed towards closer security and economic relationships with wealthy authoritarian nations willing to fund expansive lobbying operations. For this reason alone, it is imperative to understand the who, what, and how of the foreign lobbying industry in America. This brief aims to provide an overview of this thriving, yet heretofore little understood, industry.

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The remainder of this brief proceeds in five parts. In the next section, "The buyers," we identify the foreign lobbies that have had the most work done on their behalf. In "The issues," we then discuss what specific U.S. policies these foreign powers have attempted to influence. Following this, in "The facilitators," section we discuss the firms that reported the most activities on behalf of their FARA clients and the amount of donations those firms and their registered foreign agents reported making to political campaigns. In the next section, "The targets" we discuss the policymakers, media, think tanks, and others on the receiving end of foreign lobbying efforts. Finally, in the "Conclusion and recommendations" section we discuss what all of this means for the

state of foreign influence, as well as what the Department of Justice and others can do to further increase transparency of foreign influence in the United States.

The buyers

A variety of political forces can work to bend U.S. foreign policy towards the interests of a foreign country. For example, U.S. subsidiaries of foreign businesses, which typically are not required to register under FARA, might have lobbying interests that align with those of the country their parent organization resides in. Similarly, diaspora groups are typically not required to register under FARA so long as their activities and funding are provided by U.S. citizens. This is why organizations like the American Israel Public Affairs Committee (AIPAC), the Armenian Assembly of America, and the Turkish Heritage Organization are not registered under FARA, for example.

Yet, even with these carve outs, foreign agents registered under FARA represented interests from more than half the countries in the world in 2022 and 2023.⁶ But not all foreign lobbies were created equal. Some countries — like Saudi Arabia, China, and Japan — spent more than a hundred million dollars on FARA registrants during this time period, according to OpenSecrets, while others spent nothing.⁷ But, spending figures can be a deceptive indicator of a foreign lobby's prowess or influence. According to OpenSecrets, China has spent more money on FARA registrants since 2016 (more than \$418 million) than any other country in the world.⁸ Yet the vast majority of this spending has gone to two Chinese state-run media outlets — CCTV⁹ and China Daily¹⁰. These

⁶ FARA has a broad definition of what constitutes a foreign principal, that can include foreign governments, political parties, foreign businesses, and, potentially, even any foreign citizen. In practice, however, most foreign principals registered under FARA are either directly or indirectly supporting the goals of the foreign government. Thus, for the sake of simplicity, a country's "foreign lobby" refers to all the FARA registrants from within that country, and we strive to point out when some of those registrants are actively opposing the foreign government in question whenever possible (e.g., the Okinawa Prefecture opposing the Japanese government's agreement to host a U.S. military base in Okinawa).

⁷ "Foreign Lobby Watch," OpenSecrets, June, 2024, <https://www.opensecrets.org/fara>.

⁸ "Foreign Lobby Watch," OpenSecrets

⁹ "Foreign Agents Registration Act (FARA): Foreign Principals - G5008," OpenSecrets, June 19, 2024, <https://www.opensecrets.org/fara/foreign-principals/G5008>.

¹⁰ "Foreign Agents Registration Act (FARA): Foreign Principals - G2435," OpenSecrets, June 19, 2024, <https://www.opensecrets.org/fara/foreign-principals/G2435>.

media platforms are widely seen as promulgating Chinese propaganda,¹¹ but do not engage in traditional lobbying activities and have negligible, at best, audiences in the United States.¹² Similarly, though illicit Russian influence in the United States is a concern for U.S. government national security professionals, Russia's legal lobbying efforts became virtually nonexistent in the United States after a rash of lobbying and public relations firms dropped their Russian clients following Russia's full-scale invasion of Ukraine in 2022.¹³

Unlike spending figures, the political activities of firms working on behalf of foreign powers offer a much clearer picture of how active — and potentially influential — a country's foreign lobby is in the United States. Our analysis of all political activities conducted by FARA registrants in 2022 and 2023 found a clear pattern: the most active countries are almost always affluent and autocratic. Table 1 lists the top 20 countries in terms of political activities.

¹¹ Li Yuan, "How China Is Using 'Social Credit Scores' to Reward and Punish Its Citizens," *The New York Times*, February 28, 2019, <https://www.nytimes.com/2019/02/28/business/cctv-china-usa-propaganda.html>.

¹² Sarah Cook and Yuichiro Kakutani, "Beijing's Global Media Influence 2022," Freedom House, 2022, <https://freedomhouse.org/country/united-states/beijings-global-media-influence/2022>.

¹³ Ben Freeman, "How Russia Lost the War Against Ukraine on K Street," *Responsible Statecraft*, March 3, 2022, <https://responsiblestatecraft.org/2022/03/03/how-russia-lost-the-war-against-ukraine-on-k-street/>.

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Table 1: Countries with most political activities under FARA, 2022–23

Country	Political Activities 2022–23
Saudi Arabia	14,128
Ukraine	13,601
Democratic Republic of the Congo	8,547
UAE	7,704
Bangladesh	7,303
Azerbaijan	6,290
Iraq	5,741
Belgium	4,403
Dominican Republic	3,776
Bahrain	3,725
South Korea	3,535
Turkey	3,076
Cambodia	2,907
Qatar	2,788
Japan	2,353
Kazakhstan	2,058
Serbia	2,054
Yemen	1,998
India	1,843
Egypt	1,401

As the table indicates, the most active countries are overwhelmingly authoritarian. Of the top 20 most active countries, a majority (13) are rated “Not Free” by Freedom House. Only three are considered “Free,” and the remaining four are rated “Partly Free.” Given the high retainers of well-connected lobbyists, the most active countries also tend to be large and wealthy. Almost all of the most active countries are in the top half of the wealthiest countries in the world by nominal GDP. The Biden administration’s National Security Strategy promises to “work to strengthen democracy around the world” in order to encourage a “peaceful world order,” but the success of these autocrats’ lobbies tells a different story. Wealthy, authoritarian regimes are using their resources to finance well connected influence operations. They view lobbying as a viable avenue to push for particularly thorny issues like arms sales, increasing U.S. military entanglements, and laundering the reputations of authoritarians. In the next section we explore each of these issues in depth, outlining how lobbyists for some foreign powers attempt to move U.S. foreign policy in decidedly unrestrained directions.¹⁴

The issues

Militarization and arms sales

In 2022 and 2023, the United States announced major arms sales to over half of the top 20 most active countries, worth over \$29 billion. Not all of these countries explicitly lobbied for these sales, though in some cases there is a clear paper trail of lobbying behind major arms sales and other military entanglements with regimes abroad. As the overseers of security assistance programs the executive and congressional branches are the top targets of arms sales lobbying.

¹⁴ Our understanding of how countries lobby for arms, against geopolitical rivals, and to improve images of authoritarian regimes is almost certainly an undercount due to disparities in reporting from FARA registrants. We know very little, for instance, about the political activities of firms representing interests in the Democratic Republic of Congo, as over 90 percent of their activities simply say “update” without further elaboration. As is discussed below, the FARA unit can help to promote the transparency of filings by providing explicit instructions about the level of detail required.

The UAE, which registered 7704 political activities in 2022–23, has long flexed its formal influence operation to push for more arms.¹⁵ American Defense International, representing the UAE, drummed up support from the U.S. to sell F–35s to the Gulf state, by setting up in-person meetings with members of Congress including Senator Roger Wicker (R-MS) and Representative Adam Smith (D-WA), among others. Those talks over a potential F–35 sale have stalled, in part due to Washington’s concerns over close ties between the UAE and China.¹⁶ UAE’s lobbying efforts have tackled this concern head on, too, appearing to seek approval from then Senate Foreign Affairs Committee Chairman Bob Menendez for the sale of light attack aircraft from China to the UAE.¹⁷

American Defense International also championed the DEFEND Act, a bill that was attached to the NDAA in 2022 and authorized the United States to establish an integrated air and missile defense system with partners in the Middle East.¹⁸ American Defense International secured several high-level meetings, including an in-person discussion with the House Armed Services Committee Chairman Adam Smith, and the bill passed as part of the annual defense bill.¹⁹

Ukrainian interests too, lobbied for arms and U.S. support to defend itself from Russia, likely pushing on an open door given broad bipartisan support for Ukraine in Congress. Ukraine’s influence operation in Congress is well connected, reporting 13,601 political activities, the second highest number of any country in 2022–23. And a significant chunk of these lobbying efforts have been geared towards securing military aid from the

¹⁵ There were 481 explicit mentions of the National Defense Authorization Act — the annual defense bill that carves out the U.S. defense budget for the following year — in the FARA filings of UAE agents. However, FARA does not require registered foreign agents to list which specific legislation they lobby in favor of or against. Because of this, these NDAA, arms sales, and other military mentions are very likely underreported by registrants.

¹⁶ Ashley Roque, "Potential F-35, Reaper Deal with UAE Not Completely Dead, Senior US Official Says," *Breaking Defense*, February 22, 2023, <https://breakingdefense.com/2023/02/potential-f-35-reaper-deal-with-uae-not-completely-dead-senior-us-official-says/>.

¹⁷ "Supplemental Statement Pursuant to the Foreign Agents Registration Act of 1938, as amended," U.S. Department of Justice, August, 2023, <https://efile.fara.gov/docs/6567-Supplemental-Statement-20230828-12.pdf>.

¹⁸ James Lankford, "Lankford, Senate Abraham Accords Caucus Celebrate First Caucus-Led Bill Signed Into Law," press release, December 23, 2022, <https://www.lankford.senate.gov/news/press-releases/lankford-senate-abraham-accords-caucus-celebrate-first-caucus-led-bill-signed-into-law/>.

¹⁹ "Supplemental Statement Pursuant to the Foreign Agents Registration Act of 1938, as amended," U.S. Department of Justice, August, 2022, <https://efile.fara.gov/docs/6567-Supplemental-Statement-20220822-10.pdf>.

United States. On just one day, July 26, 2022, BGR Government Affairs coordinated 15 meetings between members of Congress and Ukrainian politician Vadym Ivchenko to discuss aid to Ukraine.

Moran Global Strategies, representing the Ministry for Strategic Industries of Ukraine, also lobbied Congress on the National Defense Authorization Act in 2023. The annual defense spending bill ultimately included several weapons transfers to Ukraine, including the extension of the Ukraine Security Assistance Initiative and U.S. training and exercises in NATO countries.²⁰

Egypt has similarly wielded its foreign lobby for arms. In early 2022, Senator Rand Paul (R-KY) introduced legislation to terminate a \$2.2 billion sale of C-130 cargo planes, engines, and related equipment. Senator Paul called on President Biden to adhere to the Leahy Law, which prohibits the United States from sending security assistance to units of foreign militaries engaged in gross violations of human rights.²¹ Brownstein, representing Egypt's ministry of foreign affairs, exchanged several emails and phone calls with congressional staffers regarding "Rand Paul resolutions on Egypt."

When the Senate voted down Sen. Paul's resolution, Brownstein helped coordinate and place an op-ed in Newsweek. The op-ed, authored by Egypt's Ambassador Motaz Zahran, praised Congress for their approval of "aircrafts and military hardware that will allow Egypt and the U.S. to undertake missions in the interests of both countries..." Zahran concludes his article by responding directly to Sen. Paul's criticism, claiming that the "Egyptian government has taken substantial strides to advance and promote human rights."²²

²⁰H.R.2670 — National Defense Authorization Act for Fiscal Year 2024, 118th Congress, 2023–2024, Congress.gov, <https://www.congress.gov/bill/118th-congress/house-bill/2670>.

²¹ S.J.Res.35 — A Joint Resolution providing for congressional disapproval of the proposed foreign military sale to the Government of Egypt of certain defense articles and services, 117th Congress, 2021–2022, Congress.gov, <https://www.congress.gov/bill/117th-congress/senate-joint-resolution/35/text?r=8&s=1>; Rand Paul, "Why I Want to Kill Biden's Massive US Egyptian Arms Deal," press release, February, 2022, https://www.paul.senate.gov/op_ed/quincy-institute-op-ed-dr-rand-paul-why-i-want-kill-bidens-massive-us-egyptian-arms-deal/.

²² Motaz Zahran, "Let's Continue to Strengthen the Egypt–U.S. Partnership," *Newsweek*, March 18, 2022, <https://www.newsweek.com/lets-continue-strengthen-egypt-us-partnership-opinion-1689254>.

Geopolitical rivalry

In addition to securing arms for themselves, many countries use foreign lobbying as a method to pull the United States into regional rivalries.

Firms representing Azerbaijan, for instance, lobby heavily against U.S. support for Armenia. Since 2002, successive presidents have waived Section 907 of the Freedom Support Act, allowing military aid to Azerbaijan. This paradigm is now under threat due to Azerbaijan's aggression in the Second and Third Nagorno Karabakh wars. On September 21, 2023, Senator Menendez introduced a bill that would repeal the presidential waiver authority that allows for foreign assistance to Azerbaijan and authorize foreign military financing grants to Armenia, among other items.²³

The bill was vehemently opposed by The Friedlander Group, a firm representing Azerbaijan. The firm circulated a letter asking Congress to oppose repealing the waiver, claiming the bill "actively harms the normalization process between Azerbaijan and Armenia" and would "damage the United States as an unbiased mediator."²⁴

A large aspect of Azerbaijan's lobbying aims to tie its neighbor closely to the United States's geopolitical rivals, Russia and Iran, talking points that sell well in Washington. BGR Group, representing the government of Azerbaijan, distributed an email right after Russia initiated its full-scale invasion of Ukraine in February 2022 that warned of "Karabakh Armenians' dangerous embrace of Russia," while assuring them that Azerbaijan was confronting "the creep of malicious Russian influence in the region."²⁵ In another filing from March 2023, BGR Group wrote that "Armenia's active engagement in sanctions evasion imposed on Russia due to its war in Ukraine is well documented. This

²³ Robert Menendez, "Supporting Armenians Against Azerbaijani Aggression Act of 2023," congress.gov, September 27, 2023, <https://www.congress.gov/bill/118th-congress/senate-bill/2900?s=1&r=4&q=%7B%22search%22%3A%22congressional+reform+act%22%7D>.

²⁴ Friedlander Consulting Group, LLC, "Informational Materials," Department of Justice, April 25, 2024, <https://efile.fara.gov/docs/7009-Informational-Materials-20240425-7.pdf>.

²⁵ BGR Government Affairs, LLC, "Informational Materials," Department of Justice, March 1, 2022, <https://efile.fara.gov/docs/5430-Informational-Materials-20220301-195.pdf>.

is on top of Armenia's support to Iran and Syria, including its voting practice in international organizations."²⁶

In the Middle East, too, competitive lobbying is alive and well — particularly against asymmetric threats. Ever since the Biden Administration delisted the Houthis from the Foreign Terrorist Organization and Specially Designated Global Terrorism lists in February of 2021, the UAE and Saudi Arabia have directed their lobbying efforts to reverse the decision.²⁷ Brownstein reported in-person meetings with Reps. Robin Kelly (D-IL) and Dan Kildee (D-MI) and asked if they would sign onto a congressional letter re-listing the Houthis as a foreign terrorist organization.²⁸

The Houthis are mentioned by name in over 300 of the UAE's political activities in 2022–23. Akin Gump, representing the UAE embassy, circulated a report titled "The Houthis are Terrorists," which implied that key Democratic allies of Biden in Congress, including Senator Chris Coons and Representative Gregory Meeks, wanted the Biden administration to reverse its decision. Neither of these congressmen had come out in favor of designating the Houthis as terrorists in 2022.²⁹

In some cases, competitive lobbying can come from different factions claiming to represent the same country. This is a staple of the foreign influence industry; during the 1990s, warring Angolan parties of the MPLA and UNITA fought in the halls of Congress vying for U.S. support against the other.³⁰

More recently, the National Council of Resistance of Iran, a coalition of Iranian opposition groups including the People's Mojahedin Organization of Iran (MEK), has used its lobby to raise support in the United States for the overthrow of the Iranian

²⁶ BGR Government Affairs, LLC, "Informational Materials," Department of Justice, March 31, 2023, <https://efile.fara.gov/docs/5430-Informational-Materials-20230331-280.pdf>.

²⁷ U.S. Department of State, "Foreign Terrorist Organizations," <https://www.state.gov/foreign-terrorist-organizations/>.

²⁸ Brownstein Hyatt Farber Schreck, LLP, "Supplemental Statement," Department of Justice, March 30, 2022, <https://efile.fara.gov/docs/5870-Supplemental-Statement-20220330-30.pdf>.

²⁹ Ben Freeman, "The Emirati Lobby in America," *Quincy Institute for Responsible Statecraft*, December 5, 2022, <https://quincyinst.org/research/the-emirati-lobby-in-america/>; American Defense International, Inc., "Informational Materials," Department of Justice, February 7, 2022, <https://efile.fara.gov/docs/6567-Informational-Materials-20220207-20.pdf>.

³⁰ Ben Freeman, *The Foreign Policy Auction: Foreign Lobbying in America*, CreateSpace Independent Publishing Platform, 2012.

regime. On February 7, 2023 the House of Representatives introduced a resolution that expressed support for the Iranian people amidst a wave of widespread protests inside Iran.³¹ The National Council of Resistance to Iran held a phone call with the staff of the lead democratic sponsor, Brad Sherman (D-CA), days before the resolution was introduced and welcomed the resolution saying “the people of Iran are determined to end this regime and they are willing to pay the price for it.”³²

Reputation laundering

Countries also use foreign lobbying as a way to improve their reputations and the firms they hire openly advertise this service. Brownstein’s website boasts that “you can rest assured that we will create and execute a crisis management strategy that not only protects your reputation but allows you to continue to thrive.”³³ In moments of crisis, countries turn to foreign lobbying in order to maintain smooth relations and escape scrutiny or even sanctions. The Kingdom of Saudi Arabia — which is the single most active country in our dataset with at least 14,128 political activities in 2022-23 — is very familiar with this strategy.

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In the span of just a few years, President Joe Biden shifted from describing Saudi Arabia as a “pariah” to reportedly mulling a formal security guarantee and nuclear technology

³¹ Tom McClintock, “Expressing support for the Iranian people’s desire for a democratic, secular, and nonnuclear Republic of Iran, and condemning violations of human rights and state-sponsored terrorism by the Iranian Government,” congress.gov, <https://www.congress.gov/bills/118th-congress/house-resolution/100/text>.

³² National Council of Resistance of Iran — US Representative Office, “NCRI-US Welcomes Bipartisan US House Resolution Supporting Iran Uprising for a Democratic, Secular, Non-nuclear Republic,” February 9, 2023, <https://www.ncrius.org/ncri-us-welcomes-bipartisan-us-house-resolution-supporting-iran-uprising-for-a-democratic-secular-non-nuclear-republic.html>.

³³ Brownstein Hyatt Farber Schreck, LLP, “Crisis Management,” <https://www.bhfs.com/services/practices/GovernmentRelations/crisismanagement>.

cooperation in exchange for normalizing relations with Israel.³⁴ The Saudi foreign influence operation played no small part in this transformation, rehabilitating the oil-rich Persian Gulf state as a modern stalwart standing for stability and peace in the Middle East, both in the halls of Congress and across the heart of America.³⁵ Firms working for Saudi Arabia in 2022–23 coordinated appearances at civil society organizations, local radio stations, and helped place op-eds in newspapers and magazines across the country.

Altogether, the Saudi lobby contacted students and professors at universities across the United States on at least 1,500 occasions. Firms have coordinated university events hosting embassy officials at Iowa State University, Georgia State University, Georgia Institute of Technology, University of South Dakota, University of St. Thomas, and many more.

The latest iteration of reputational laundering has taken the form of sportwashing. Much of the Saudi lobby's recent uptick in activity can be attributed to the Saudi Public Investment Fund and their investment in sports. In June of 2023, PGA and LIV Golf announced they would be merging, prompting a hearing from the Senate Permanent Subcommittee on Investigations to "uncover what went into the PGA Tour's deal with the Saudi Public Investment Fund."³⁶ In the lead-up to the hearing, lobbyists from Brownstein representing the Public Investment Fund called, emailed, or met with nearly every member of the subcommittee. Brownstein sent out a "fact/myths document" about the merger to the offices of Sen. Josh Hawley and Sen. Roger Marshall (R-KS), both of whom are members of the Subcommittee on Investigations.³⁷ Brownstein

³⁴ Zeeshan Aleem, "Biden Said He'd Make Saudi Arabia a Pariah. Now He's Turning It into a Special Ally," MSNBC, September 20, 2023, <https://www.msnbc.com/opinion/msnbc-opinion/biden-saudi-arabia-israel-security-rcna105926>.

³⁵ Ben Freeman, "The Saudi Lobby Builds Back Better," *The Intercept*, August 25, 2022, <https://theintercept.com/2022/08/25/saudi-arabia-lobby-mbs-khashoggi/>.

³⁶ Sarah Leah Whitson, "Saudi Arabia's Bid for Control of the PGA Isn't Just About Golf," DAWN, July 11, 2023, <https://dawnmena.org/saudi-arabias-bid-for-control-of-the-pga-isnt-just-about-golf/>.

³⁷ Brownstein Hyatt Farber Schreck, LLP, "Supplemental Statement," Department of Justice, March 30, 2022, <https://efile.fara.gov/docs/5870-Supplemental-Statement-20220330-33.pdf>.

lobbyists even exchanged phone calls with Sen. Hawley's staff in an effort to determine what the Senator "might ask" at the hearing.³⁸

Two weeks after the hearing, Senator Ron Wyden (D-OR) introduced two bills into the Senate that would revoke the PGA Tour's tax exemption and end tax breaks for the Saudi Public Investment Fund, among others.³⁹ In response, Brownstein exchanged text messages with Senators Bob Menendez, Ben Cardin, Catherine Cortez Masto, and Tom Carper to "discuss Wyden's bills." Neither bill has passed.⁴⁰

Saudi Arabia also sought public relations services to showcase a commitment to improving their human trafficking record. A 2021 State Department report discussed "persistent complaints among migrant workers of unpaid wages, passport retention, physical or sexual abuse, or substandard working conditions, all of which were trafficking indicators."⁴¹ The next year, Saudi Arabia's Human Rights Commission hired Qorvis on a short-term contract worth \$750,000 to provide public relations services, "including consultancy and study services for human trafficking crimes."⁴²

Israeli spyware company NSO Group also utilized their foreign lobby to improve their image in the United States, reporting over 700 political activities in 2022–23. In late 2021, and after many reports that its Pegasus spyware had been used to hack journalists and officials around the world, NSO Group was placed on the Department of Commerce's Entity List, which makes doing business in the United States much more difficult.⁴³ Since then, the company has been coordinating an all-hands-on-deck effort

³⁸ Brownstein Hyatt Farber Schreck, LLP, "Supplemental Statement."

³⁹ United States Senate Committee on Finance, "Wyden Introduces Bills Revoking PGA Tour's Tax Exemption, Saudi Public Investment Fund's Special Tax Break," *Chairman's News*, July 26, 2023, <https://www.finance.senate.gov/chairmans-news/wyden-introduces-bills-revoking-pga-tours-tax-exemption-saudi-public-investment-funds-special-tax-break>.

⁴⁰ Ron Wyden, "Ending Tax Breaks for Massive Sovereign Wealth Funds Act," congress.gov, July 26, 2023, <https://www.congress.gov/bill/118th-congress/senate-bill/2518#:~:text=%2F26%2F2023%29-Ending%20Tax%20Breaks%20for%20Massive%20Sovereign%20Wealth%20Funds%20Act,a%20non%20Dexempt%20foreign%20government>; Ron Wyden, "Sports League Tax-Exempt Status Limitation Act," congress.gov, July 26, 2023, <https://www.congress.gov/bill/118th-congress/senate-bill/2519/text>.

⁴¹ U.S. Department of State, "2021 Trafficking in Persons Report: Saudi Arabia," Accessed June 19, 2024, <https://www.state.gov/reports/2021-trafficking-in-persons-report/saudi-arabia/>.

⁴² Qorvis LLC, "Exhibit B to Registration Statement." Department of Justice, June 8, 2022, <https://efile.fara.gov/docs/5483-Exhibit-AB-20220608-86.pdf>.

⁴³ Drew Harwell, Ellen Nakashima, and Craig Timberg, "Biden Administration Blacklists NSO Group Over Pegasus Spyware: Commerce Dept. Says Action Is Among Efforts to Put Human Rights at Center of U.S. Foreign Policy,"

to be delisted. Over the course of 2022, firms representing NSO Group reported dozens of phone calls and meetings with members of Congress to discuss the Entity List. This included several in-person meetings with Representative Pete Sessions (R-TX), one of which was to discuss the “status of Bureau of Industry and Security, U.S. Department of Commerce appeal.”⁴⁴

Chartwell Strategy Group helped coordinate a favorable profile interview of NSO Group CEO Yaron Shohat in the *Wall Street Journal* in January of 2023.⁴⁵ The article, titled “Head of Israeli Cyber Firm NSO Group Reaffirms Company Commitment to Spyware,” gave space for Shohat to say that the company “acts responsibly” and that the NSO Group’s placement on the Entity List was a mistake that he hopes will be “corrected in the future.”⁴⁶

Paul Hastings, another firm representing NSO Group, saw an opportunity after Hamas’s attack in Israel on October 7, 2023. The firm pitched NSO Group’s technology to Secretary of State Anthony Blinken as a means to humanely fight terrorism, writing that, “As a company, NSO recognized early on – and has taken concrete steps to address – potential downstream human rights impacts of its products...On behalf of NSO, I look forward to collaborating with you on these important and urgent tasks.”⁴⁷

Altogether, over 100 of NSO Groups political activities mentioned human rights in 2022–23, often in conjunction with the Entity List.

Washington Post, November 3, 2021,

<https://www.washingtonpost.com/technology/2021/11/03/pegasus-nso-entity-list-spyware/>.

⁴⁴ Pillsbury Winthrop Shaw Pittman, LLP, “Supplemental Statement,” Department of Justice, August 23, 2023, <https://efile.fara.gov/docs/5198-Supplemental-Statement-20230823-37.pdf>

⁴⁵ Chartwell Strategy Group, LLC, “Supplemental Statement,” Department of Justice, March 31, 2023, <https://efile.fara.gov/docs/6518-Supplemental-Statement-20230331-10.pdf>; Byron Tau and Dustin Volz, “Exclusive: Head of Israeli Cyber Firm NSO Group Reaffirms Company Commitment to Spyware,” *Wall Street Journal*, January 26, 2023, <https://www.wsj.com/articles/exclusive-head-of-israeli-cyber-firm-nso-group-reaffirms-company-commitment-to-spyware-123456789>.

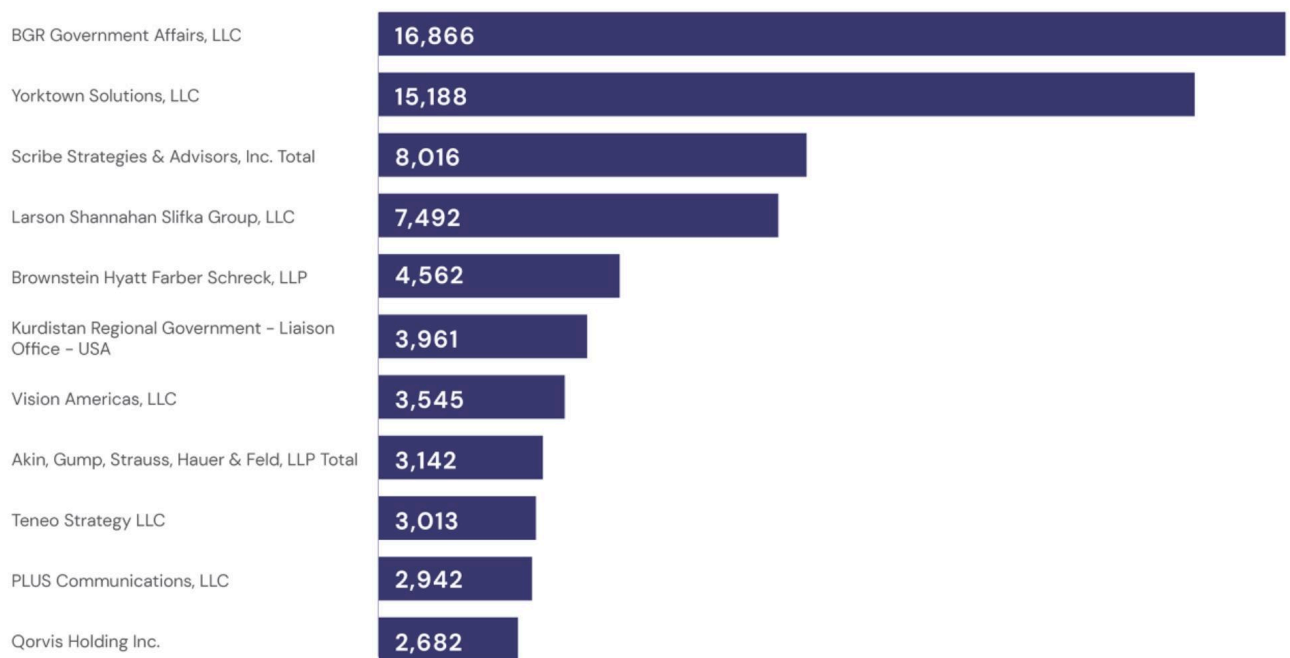
⁴⁶ Byron Tau and Dustin Volz, “Exclusive: Head of Israeli Cyber Firm NSO Group Reaffirms Company Commitment to Spyware.”

⁴⁷ Paul Hastings, LLP, “Informational Materials,” Department of Justice, November 7, 2023, <https://efile.fara.gov/docs/6743-Informational-Materials-20231107-22.pdf>.

The facilitators

Table 2 below shows the firms that reported the most political activities in 2022 and 2023. These firms are among some of the largest and most well-connected public relations and lobbying firms in Washington.

Table 2: Most active firms by political activities



BGR Government Affairs, LLC	16,866
Yorktown Solutions, LLC	15,188
Scribe Strategies & Advisors, Inc. Total	8,016
Larson Shannahan Slifka Group, LLC	7,492
Brownstein Hyatt Farber Schreck, LLP	4,562
Kurdistan Regional Government – Liaison Office – USA	3,961
Vision Americas, LLC	3,545
Akin, Gump, Strauss, Hauer & Feld, LLP Total	3,142
Teneo Strategy LLC	3,013
PLUS Communications, LLC	2,942
Qorvis Holding Inc.	2,682

BGR Group tops the list with at least 16,866 political activities in 2022 and 2023. This firm boasted a range of clients in 2022–23, including Azerbaijan, Bahrain, Bangladesh, India, Qatar, Uzbekistan, the Muslim World League (Saudi Arabia), Serbia, Panama, Kurdistan, Guyana, South Korea, the Hong Kong Trade Development Council, Liberia’s shipping registry, and several prominent figures and parties from Ukraine, Iraq, Lebanon, and Libya.

The list in Table 2 does not necessarily represent the quality of these political activities, as an email is very different from an in-person meeting. To provide a better sense of direct connections, Table 3 lists which firms were able to secure in-person meetings with their targets. With this filter, it is Akin Gump that reigns supreme. The firm's top foreign clients over this period included the Embassy of the U.A.E., Morocco, Japan, Cambodia, the Marshall Islands, and Uzbekistan.

Table 3: Registrants with Most In-Person Meetings



One important reason these lobbying firms are able to attract wealthy foreign clients and facilitate these meetings is the revolving door. Firms such as Akin Gump and Brownstein boast rosters of former government officials, former members of Congress and high-ranking executive branch personnel. The impact of these revolving door lobbyists cannot be understated. One study that examined a large sample of bills in Congress from the 2000s found that “the number of former members of Congress lobbying on those bills had a noticeable impact on the chances of those bills being

reported out of their respective committees, even after controlling for totals of other lobbyists.”⁴⁸

As we have reported previously, nearly 100 former members of Congress have lobbied for foreign interests under FARA since 2000.

As we have reported previously, nearly 100 former members of Congress have lobbied for foreign interests under FARA since 2000.⁴⁹ Former Representatives Ileana Ros-Lehtinen and Lamar Smith both work for Akin Gump, and have both worked on behalf of the UAE. Ros-Lehtinen admitted in a FARA filing that when she entered Congress she was an outspoken “skeptic” of the UAE, but explained that that was before she eventually “fully appreciated the importance of the UAE to U.S. interests in the region.”⁵⁰ Brownstein also boasts several former members of Congress: Mark Begich, Mark Pryor, and Ed Royce — who have lobbied on behalf of Saudi Arabia, Egypt, Cambodia, and Morocco, among others. Besides former members themselves, the vast majority of lobbyists representing top firms have government experience.

The first and most obvious reason that “revolvers” are sought after is that they are known on Capitol Hill. Whereas a Senator will simply log an email or call from a constituent, a trusted former colleague or staffer is far more likely to obtain a response. Second, former elected officials have deep knowledge of the policymaking process, which makes them highly coveted by lobbying firms. One staffer-turned-lobbyist explained that “Like with any service, people who have experience are going to be

⁴⁸ James M. Strickland, “The Declining Value of Revolving-Door Lobbyists: Evidence from the American States,” *American Journal of Political Science* 64, no. 1 (January 2020): 67-81, <https://doi.org/10.1111/ajps.12485>.

⁴⁹ Nick Cleveland-Stout, and Ben Freeman, “The Well-Traveled Road from Member of Congress to Foreign Agent: Since 2000, Nearly 100 Former Lawmakers Have Become Lobbyists for Countries Like Saudi Arabia and China in Washington,” *Responsible Statecraft*, June 28, 2022, <https://responsiblestatecraft.org/2022/06/28/the-revolving-door-from-congress-to-foreign-interest-lobbyist-is-well-traveled/>.

⁵⁰ Akin Gump Strauss Hauer & Feld, LLP, “Informational Materials,” Department of Justice, July 8, 2020, <https://efile.fara.gov/docs/3492-Informational-Materials-20200708-59.pdf>.

valuable to people who don't."⁵¹ Lastly, they may have policy or regional expertise. Since politicians are expected to have a well-rehearsed answer about everything from healthcare to shipping lanes in the South China Sea, the knowledge and expertise of former officials on a given issue can be useful.

Some “revolvers” may even be eyeing a future lobbying job while in office. Legal scholar Lawrence Lessig writes that “The existing system for many members of Congress is just a stepping stone, not to higher political office, but to a lobbying firm.”⁵² To Lessig’s point, former Representative Ed Royce (R-CA) recited Saudi talking points almost verbatim while still in Congress, based on a factsheet distributed by lobbyists working on behalf of Saudi Arabia.⁵³ After leaving Congress, he went on to become a lobbyist for the Saudi government.⁵⁴

Their expertise, connections, and technical knowledge comes at a price. Between 1998 and 2023, Akin Gump received the most income of any lobbying firm — recording \$881 million in total.⁵⁵ According to its most recent semi-annual statement, Akin Gump received \$3.86 million dollars in just one six-month period for lobbying on behalf of just one client: The UAE.⁵⁶

Campaign contributions from FARA registrants

In addition to connections and technical expertise, lobbyists have another powerful weapon in their arsenal of influence: campaign contributions. Lobbyists are well known to be prodigious donors to campaigns and the firms they work at often have PACs of their own and organized special fundraising dinners and events where campaign

⁵¹ Vidal Jordi Blanes, Mirko Draca, and Christian Fons-Rosen, “Revolving Door Lobbyists,” *The American Economic Review* 102, no. 7. 3731–48, 2012, <http://www.jstor.org/stable/41724652>.

⁵² Lawrence Lessig, *Republic, Lost: How Money Corrupts Congress—and a Plan to Stop It*. New York: Twelve (Hachette Book Group), 2011, 274.

⁵³ Lee Fang, “GOP Lawmaker Gave Pro-War Speech on Yemen—By Reading Saudi Lobbyist’s Talking Points Verbatim,” *The Intercept*, May 2, 2019, <https://theintercept.com/2019/05/02/yemen-war-powers-resolution-saudi-lobbyists/>.

⁵⁴ Ben Freeman, “One Lawmaker’s Journey from Congress to Lobbying for Dictators,” *Responsible Statecraft*, February 10, 2022, <https://responsiblestatecraft.org/2022/02/10/one-lawmakers-journey-from-congress-to-lobbying-for-dictators/>.

⁵⁵ OpenSecrets, “Top Lobbying Firms,” <https://www.opensecrets.org/federal-lobbying/top-lobbying-firms?cycle=a>.

⁵⁶ Akin, Gump, Strauss, Hauer & Feld, LLP, “Informational Materials,” Department of Justice, 29 January 2024, <https://efile.fara.gov/docs/3492-Supplemental-Statement-20240129-41.pdf>.

contributions — including from entities well outside the firm itself — can be bundled together to create a big campaign windfall for the candidates and as a means to garner influence for the firm.

FARA offers a rare glimpse into this world, as registrants are required to report any contributions they've made to any political campaign, including information not available in standard Federal Election Commission filings. Critically, the supplemental statements where this information is reported clearly states that these contributions are not made with foreign funds and are instead, "from your own funds and on your own behalf." This has the effect of shielding these lobbyists from accusations that they are guilty of helping their foreign clients violate the Federal Election Commission's prohibition on campaign contributions from foreign nationals. These firms and the lobbyists working for them derive revenue from domestic clients as well, which, along with other income streams, could be used to make these contributions.

On the other hand, previous research has repeatedly shown that there is a high correlation between campaign contributions made by foreign agents and their contacts with congressional offices.⁵⁷ In fact, some campaign contributions occur on the exact same day FARA registrants report meeting with the member of Congress receiving the contribution from their firm.⁵⁸ Yet, no law prohibits a member of Congress from accepting a campaign contribution from a lobbyist the same day they've met with them, even if that lobbyist is working on behalf of a foreign power.

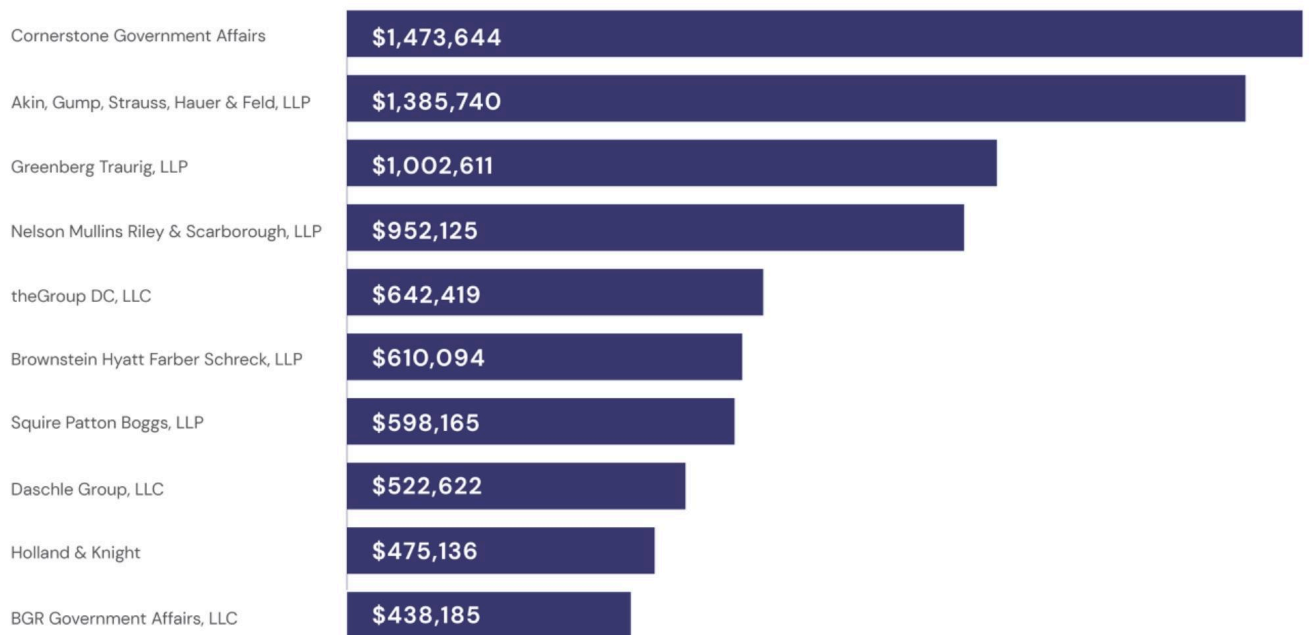
In 2022 and 2023 FARA registrants reported making \$14.3 million in political contributions. To put that in perspective, an OpenSecrets analysis found that FARA

⁵⁷ Marco Grotteria, Max Miller, and S Lakshmi Naaraayanan, "Foreign Influence in U.S. Politics," Jacobs Levy Equity Management Center for Quantitative Financial Research Paper https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4058658.

⁵⁸ Masood Farivar, "Report Says Saudi-hired Lobbyists Give Millions to Influence US Congress," Voice of America, October 30, 2018, <https://www.voanews.com/a/report-says-saudi-hired-lobbyists-give-millions-to-influence-us-congress/4635576.html>.

registrants donated \$8.5 million in the 2020 election cycle.⁵⁹ Table 4 lists the top ten firms in terms of the amount of political contributions made in 2022 and 2023.

Table 4: Top firms by political contributions 2022–23



Cornerstone Government Affairs	\$1,473,644
Akin, Gump, Strauss, Hauer & Feld, LLP	\$1,385,740
Greenberg Traurig, LLP	\$1,002,611
Nelson Mullins Riley & Scarborough, LLP	\$952,125
theGroup DC, LLC	\$642,419
Brownstein Hyatt Farber Schreck, LLP	\$610,094
Squire Patton Boggs, LLP	\$598,165
Daschle Group, LLC	\$522,622
Holland & Knight	\$475,136
BGR Government Affairs, LLC	\$438,185

Notably, the firms listed in Table 4 are also many of the firms that reported the most political activities on behalf of their FARA clients. And, the top recipients of these campaign contributions were often prominent party leaders and the heads of key committees that were contacted regularly by FARA registrants.

The targets

Data provided by the FARA unit does not standardize which specific individuals are contacted by FARA registrants; it simply restates the information those registrants

⁵⁹ Anna Massoglia, “Foreign Lobbyists Gave Millions to Influence 2020 Elections Amid Foreign Influence Concerns,” OpenSecrets, August 19, 2021, <https://www.opensecrets.org/news/2021/08/foreign-lobbyists-gave-millions-to-influence-2020-foreign-influence-concerns/>.

provide. This makes it challenging to determine how many times any specific congressional office was contacted, as registrants can use a variety of terms to refer to meeting any specific individual. For example, Senator Lindsey Graham is referred to as “Senator Lindsey Graham,” “Senator Graham,” “Sen. Lindsey Graham,” “Office of Lindsey Graham,” and “Graham’s office,” just to name a few. Standardizing this data for nearly 130,000 entries was beyond the scope of this brief.

However, cursory analysis provides a general sense of where FARA registrants focus their efforts. By far, the top target of FARA registrants were staff and members of Congress. In fact, more than half (nearly 70,000) of all political activities reported in 2022 and 2023 can be traced back to House and Senate offices and Committees in both chambers. Some of the primary targets are the leadership of both parties. The office of Senate Majority Leader Chuck Schumer (D-NY) was contacted 134 times and the office of former House Majority Leader Kevin McCarthy (R-CA) was contacted 273 times, for example.

Members of crucial committees such as the Foreign Relations Committees and Armed Services Committees are typically contacted more than most members due to their outsize influence on key legislation for foreign countries such as the annual National Defense Authorization Act. One research paper that analyzed in-person meetings from 2000–18 found that meetings between registered foreign agents and members of the House and Senate Foreign Affairs Committees accounted for 25 percent of all congressional meetings.⁶⁰ The Armed Services Committees made up about 17 percent.

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The lobbying itself can often take a more subtle form. Several lobbying firms reported luncheons or events without explicitly reporting any particular agenda item. These informal meetings are often set up by the lobbying firms themselves. For example,

⁶⁰ Marco Grotteria, Max Miller, and S. Lakshmi Naaraayanan, “Foreign Influence in US Politics,” Jacobs Levy Equity Management Center for Quantitative Financial Research Paper, September 25, 2023, <https://ssrn.com/abstract=4058658>.

⁶¹ Grotteria, Miller, and Naaraayanan, “Foreign Influence.”

American Defense International sought to arrange dinners between UAE Ambassador Yousef Al Otaiba and key members of Congress, including Adam Smith, the former chair of the House Armed Services Committee.⁶² Brownstein also regularly coordinates dinners between members of Congress and Saudi Arabia's Ambassador Reema bint Bandar al-Saud. Over the course of 2022–23, Brownstein reported 107 political activities just related to requesting and arranging dinner plans.

Media outlets are also a key target of foreign agents, with particular attention paid to mainstream media outlets. In 2022 and 2023 the most contacted print media outlets by FARA registrants were *The Washington Post* (1,257), *The New York Times* (924), and *The Wall Street Journal* (886). In many cases, firms helped coordinate and place op-eds in papers. BGR Group's website boasts that "Even in the social media age, the client opinion article – or op-ed – carries enormous weight with government officials, policymakers and top-tier influencers. BGR knows how to craft a winning op-ed that will get published." Last year, BGR Group helped place an op-ed in the *Washington Times* for the ambassador of Bahrain that states: "effective and lasting security depends not just on arms but also on economic growth and opportunity."⁶³

In another instance, Qorvis helped to coordinate placement of a Fox News op-ed on behalf of Cambodia.⁶⁴ The op-ed was authored by members of a congressional delegation to the Southeast Asian country, Representatives Carol Miller (R-WV), Beth Van Duyne (R-TX), and Ron Estes (R-KS), and argues that "Laos and Vietnam have not shed the vestiges of authoritarianism remaining from their communist days," but that Cambodia has a "warmth, sincerity, and desire to advance on the world stage" and should be added to the Indo-Pacific Framework for Prosperity.⁶⁵ Nowhere is it mentioned on Fox's website that a firm paid by Cambodia helped coordinate the op-ed,

⁶² American Defense International, Inc. "Supplemental Statement," Department of Justice, August 22, 2022, <https://efile.fara.gov/docs/6567-Supplemental-Statement-20220822-10.pdf>.

⁶³ Abdullah bin Rashid Al Khalifa, "The New Status Quo in the Middle East," *The Washington Times*, September 15, 2023, <https://www.washingtontimes.com/news/2023/sep/15/new-status-quo-middle-east/>.

⁶⁴ Qorvis, LLC, "Supplemental Statement," Department of Justice, October 30, 2022, <https://efile.fara.gov/docs/5483-Supplemental-Statement-20221030-39.pdf>.

⁶⁵ Gordon G. Chang, "America Is Driving Southeast Asia into the Arms of China – and That's Dangerous," *Fox News*, June 17, 2023, <https://www.foxnews.com/opinion/america-driving-southeast-asia-arms-china-dangerous>.

which included 11 emails related to “op–ed edits” between the firm and members of Congress.

It’s unclear if these firms actually wrote the pieces themselves, though this is a known strategy. In an investigation by journalist Ken Silverstein, for example, APCO Worldwide admitted that they “actually wrote the pieces and then went out and found ‘signatories.’”

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Conclusion and recommendations

The Department of Justice has taken significant steps to increase the transparency of, and accessibility to, FARA filings. In the past decade alone the FARA unit has dramatically increased the amount of filings available online, moved to a full e–filing system that significantly aids in the machine readability of filings, introduced a “search” function and bulk data, and, most recently, made an extraordinary tranche of FARA registrants’ political activities and contributions available for the first time. The latter has enabled us, in this brief, to provide an overview of the foreign lobbying industry.

With nearly 130,000 reported political activities and more than \$14 million in political contributions reported in just a two year period, it’s fair to say the foreign lobbying industry in the United States is thriving. Foreign agents are working feverishly to pass legislation that would benefit their foreign clients. They’re donating millions of dollars to political campaigns, some of which goes directly to the same members of Congress that they’re lobbying on behalf of foreign powers. They’re shaping the media narrative by placing op–eds and influencing coverage of their foreign clients. And, more often than not, those clients are rich authoritarian states.

⁶⁶ Ken Silverstein, *Turkmeniscam: How Washington Lobbyists Fought to Flack for a Stalinist Dictatorship*, New York: Random House, 2008, <https://www.amazon.com/Turkmeniscam-Washington-Lobbyists-Stalinist-Dictatorship/dp/140006743X>.

While the Department of Justice and the FARA unit have made great strides to increase public access to FARA filings, more can be done. Here are two recommendations for reforms that would help to engender greater FARA transparency.

Recommendation 1: Improve systematization of FARA filings

One of the greatest challenges to the public and researchers with this new tranche of political activities data will, undoubtedly, be trying to determine which lobbyists are contacting specific congressional offices. As mentioned earlier in this brief, none of this information is standardized in FARA filings. Because of this FARA registrants can, and do, use a variety of terms to refer to a single member of Congress (e.g. “Senator Menendez,” “Menendez’s office,” “Bob Menendez,” etc...). This creates a barrier to transparency as it can be challenging to identify all these name variants, and is even harder when multiple members have the same last name (e.g., Senator Bob Menendez and his son Representative Bob Menendez). The FARA unit can remedy this problem by requiring FARA registrants to report a unique identifier for each office contacted. The FEC already has unique identifiers for campaigns, so this problem has a ready-made solution.

Recommendation 2: Greater specificity in the types of political activities conducted

It is all too common for FARA registrants to provide incredibly broad language in their descriptions of political activities. This included “bilateral relations,” “engagement,” “update” and the ever-amorphous “policy change.” The FARA regulations require registrants to provide a “degree of specificity necessary to permit meaningful public evaluation of each of the significant steps taken by a registrant to achieve the purposes of the agency relation.”⁶⁷ Few FARA registrants adhere to this standard and, because of this, the public has limited ability to evaluate what FARA registrants are actually doing on behalf of their foreign clients. The DOJ can, at least partially, work to alleviate this

⁶⁷ U.S. Government Publishing Office, “28 CFR Part 5: Administration and Enforcement of Foreign Agents Registration Act of 1938, As Amended,” Code of Federal Regulations, Title 28, Vol. 1, 2016, <https://www.govinfo.gov/content/pkg/CFR-2016-title28-vol1/pdf/CFR-2016-title28-vol1-part5.pdf>.

problem by providing publicly available guidance indicating precisely what information is required in descriptions of political activities. Another remedy to this would be by requiring registered foreign agents to list out which, if any, bill numbers they lobbied in favor of. The Lobbying Disclosure Act, which is far less transparent than FARA, already requires this.⁶⁸ Congress could aid this effort as well, by passing legislation that would introduce civil fines for FARA violations to include fines for underreporting of political activities as is done in legislation like the bipartisan Foreign Agents Disclosure and Registration Enhancement Act.⁶⁹ The act notably includes provisions to ensure these new enforcement powers aren't abused, including requiring reports from the Government Accountability Office and DOJ Inspector General about the act's implementation.

⁶⁸ Public Citizen, "Lobbying Disclosure Act: A Brief Synopsis of Key Components," PDF file, <https://www.citizen.org/wp-content/uploads/brief-synopsis-of-lda.pdf>.

⁶⁹ "Foreign Agents Disclosure and Registration Enhancement Act of 2021," S. 1724, 117th Congress, 1st sess., introduced in Senate May 20, 2021, by Sen. Chuck Grassley and referred to the Committee on Foreign Relations, <https://www.congress.gov/bill/117th-congress/senate-bill/1724>.

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About the Quincy Institute

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