



Committee to Protect Journalists

February 11, 2022

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Chief of the FARA Unit  
Counterintelligence and Export Control Section, National Security Division  
U.S. Department of Justice  
175 N Street NE, Constitution Square, Building 3—Room 1.100  
Washington, D.C. 20002

Re: Advanced Notice of Proposed Rulemaking on Implementation of Foreign Agents Registration Act

We at the Committee to Protect Journalists, a non-profit international press freedom organization, write to submit comments about the Foreign Agents Registration Act (FARA) and its impact on media organizations as you consider changes to the law's implementation.

While we recognize that many of the questions listed in your Advanced Notice of Proposed Rulemaking fall outside the scope of press freedom, we believe it is pertinent to outline our general concerns regarding the registration of media organizations in the United States as “foreign agents,” and to highlight the international press freedom implications of the use of this law against news outlets.

CPJ has [been tracking the use of FARA](#) against media organizations in the U.S. over several presidential administrations. Our research suggests the labeling of news organizations is driven by foreign policy considerations rather than any consistent criteria. The Russian state-owned broadcaster RT was compelled to register under the act following accusations of spreading disinformation during the 2016 elections. The Chinese-funded China Global Television Network was also compelled to register under the act, and saw its congressional passes revoked. The Qatari-owned Al-Jazeera was likewise flagged for “anti-American” coverage before being compelled to register under FARA.

However, few of the state-funded news organizations from major geopolitical allies – including the U.K.’s BBC, Canada’s CBC, or Germany’s Deutsche Welle – have been required to register under FARA. We recognize that state-funded media outlets are not all managed in the same way. Many have editorial safeguards to ensure the state does not use its funding to influence news coverage. However, the glaring difference in the way these media

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outlets are treated under FARA raises questions about the fairness of its implementation.

CPJ is not calling for a more consistent application of FARA against media outlets. Rather, we write to call for the end of compelling media outlets to register, which impacts their operations and their ability to engage in journalism freely.

The inconsistent application of FARA has created the appearance that the act is a foreign policy tool, and has provided justification for foreign governments to use similar labeling against news organizations that receive funding from within the United States. Countries including Hungary, Israel, Russia, and Ukraine have [all cited the U.S. use of FARA](#) when they passed legislation requiring civil society organizations to register with the government.

While being registered under FARA in the U.S. mainly requires additional organizational reporting and is generally a bureaucratic hurdle, the equivalent of this status in repressive countries can drain outlets' finances and erode audience's trust.

In Russia, for example, authorities have [designated](#) numerous independent media outlets – including [Dozhd](#), [Mediazona](#), [Meduza](#), and [VTimes](#) – as foreign agents. *Dozhd* editor-in-chief Tikhon Dzyadko told CPJ that the foreign agent designation means the outlet will likely lose sponsors because “no one wants to be associated with a foreign agent.” Galina Timchenko, general director of the news website *Meduza* said that her outlet had lost 38 percent of its revenue due to sponsor flight following the designation. *VTimes* announced its closure shortly after its designation, citing the destruction of its advertising-based business model.

Russian authorities also used this legislation to [freeze the accounts](#) of the U.S. Congress-funded broadcaster RFE/RL operating within Russia. Kiryl Sukhotski, RFE/RL's regional director for Europe and TV production, told CPJ that the broadcaster's Russian correspondents felt nervous working amid such restrictions, but said they would continue their reporting.

More broadly, governments have also used the basis of foreign agent laws to attack media and civil society organizations for any ties they may have to funding outside the country.

Given the Biden administration's [stated commitment](#) “to protecting and promoting free, independent, and diverse media around the world,” we are



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certain that the impact of FARA on press freedom both domestically and globally is a noteworthy issue.

The Department of Justice's use of FARA does not just impact news organizations in the U.S. – it sets global standards. It is therefore imperative that U.S. authorities be extremely cautious about compelling media organizations to register under FARA. It is also important that the U.S. government be transparent in explaining to the public its approach to the mandated disclosure of foreign funding, such as by releasing advisory opinions. As it stands, the department's use of FARA against media organizations may be furthering political attacks on legitimate news outlets around the world. It is within your power to set an example and end this practice.

Thank you for your time and consideration.