



**U.S. Department of Justice**

National Security Division

Counterintelligence and Export Control Section

Washington, D.C. 20530

September 20, 2017

**Via Email and FedEx**

[REDACTED]  
Dickinson Wright PLLC  
1825 Eye Street, NW, Suite 900  
Washington, D.C. 20006

Re: Saudi American Public Relation Affairs Committee

Dear [REDACTED]:

This is in reference to your letter of August 15, 2017, which responded to our letter of August 9, 2017, regarding your client, the Saudi American Public Relation Affairs Committee ("SAPRAC"), and its possible obligation to register pursuant to the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 *et seq.* ("FARA" or the "Act"). That possible obligation concerned SAPRAC's recent, high-profile advertising campaign in the United States promoting the view that Qatar is supporting terrorism and destabilizing U.S. allies in the Persian Gulf region ("U.S. media campaign"). Based on the information you have provided, including SAPRAC's FARA registration filed on August 30, 2017, and other information available to us, we have determined that SAPRAC has an obligation to amend its registration to reflect its activities with respect to the U.S. media campaign. That obligation arises because SAPRAC carried out the U.S. media campaign on behalf of a foreign national, Salman al-Ansari, and because the government of Saudi Arabia was the principal beneficiary of the U.S. media campaign.

**FARA**

The purpose of FARA is to inform the American public of the activities of foreign agents working for foreign principals to influence U.S. government officials and/or the American public with reference to the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a foreign country or foreign political party. An "agent of a foreign principal" is defined, in pertinent part, as "any person who acts . . . at the order, request, or under the direction or control of a foreign principal . . . and who directly or through another person . . . engages within the United States in political activities for or in the interests of such foreign principal." 22 U.S.C. § 611(c)(1)(i). The term "political activities" is defined in 22 U.S.C. § 611(o) as "any activity that the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to

the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.” The term “foreign principal” includes “a government of a foreign country and a foreign political party, *any person outside the United States . . .*, and a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.” *Id.* § 611(b) (emphasis added).

### **SAPRAC Is the Agent of Salman Al-Ansari, a Foreign Principal under FARA**

As you acknowledged in your August 15 letter and in SAPRAC’s August 30 registration, SAPRAC’s owner/director Salman Al-Ansari, a citizen of Saudi Arabia, qualifies as a foreign principal under FARA. *See id.* § 611(b)(2) (“The term ‘foreign principal’ includes . . . a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States.”). SAPRAC is clearly Mr. Al-Ansari’s agent when SAPRAC engages in political activities within the United States for or in Mr. Al-Ansari’s interests. *See* 22 U.S.C. § 611(c)(1)(i). Moreover, the U.S. media campaign, which is plainly designed to influence the American public and U.S. foreign policy concerning Qatar, is core political activity within the meaning of FARA. *Id.* at § 611(o).

### **SAPRAC Cannot Avail Itself of FARA’s Lobbying Disclosure Act Exemption Because Saudi Arabia Is the Principal Beneficiary of the U.S. Media Campaign**

Because SAPRAC is engaging in political activities within the United States as an agent of a foreign principal, registration under FARA is required unless an exemption applies. Your August 15 letter contended that the exemption in Section 613(h) of FARA applies to SAPRAC’s U.S. media campaign. Section 613(h) exempts from FARA’s registration requirement any agent of a foreign principal described in Section 611(b)(2)—such as Mr. Al-Ansari—“if the agent has engaged in lobbying activities and has registered under the Lobbying Disclosure Act of 1995 [2 U.S.C. § 1601 *et seq.*] (“LDA”) in connection with the agent’s representation of such [foreign principal].” As you noted, SAPRAC has registered under the LDA in connection with its representation of Mr. Al-Ansari.

However, the regulations implementing FARA limit the availability of Section 613(h), stating that “in no case where a foreign government or foreign political party is *the principal beneficiary* will the exemption under [Section 613](h) be recognized.” 28 C.F.R. § 5.307 (emphasis added). In your August 15 letter, you asserted that the principal beneficiaries of the U.S. media campaign were Mr. Al-Ansari and SAPRAC. You also asserted that if there were any government beneficiaries, they would include not only Saudi Arabia, but every country that opposes terrorism.

We find your arguments unpersuasive. First, the U.S. media campaign is nearly a mirror image of the Saudi government’s recent foreign policy actions and pronouncements against Qatar. The U.S. media campaign, which your letter indicated cost almost \$3 million, explicitly maintains that Qatar is supporting terrorism and destabilizing U.S. allies in the Persian Gulf region. The U.S. media campaign includes a video advertisement stating that “One country in the Gulf region is a threat to global security: Qatar,” calling Qatar “a country that finances and protects terrorists.” It also includes, among other content, a clip of commentator Joe

Scarborough stating that “The Saudis, the UAE, Israel correctly say Qatar has been funding terrorist organizations,” and a clip of President Trump stating that “[T]he nation of Qatar has historically been a funder of terrorism at a very high level.”

These statements closely correspond to the recent, well-publicized position of the Saudi government toward Qatar.<sup>1</sup> For example, Saudi Arabia’s statement accompanying its June 2017 severing of diplomatic ties with Qatar took the position that Qatar “adopt[ed] various terrorist and sectarian groups aimed at destabilising the region” and “finance[ed], adopt[ed] and shelter[ed] extremists who seek to undermine the stability and unity of” Saudi Arabia.<sup>2</sup> In late June 2017, the Saudi Foreign Minister reiterated this theme, saying of Qatar: “This idea that you can fund extremist groups, that you can pay ransom to terrorist groups like Al-Qaeda and ISIS, that you can send \$300 million to the Shi’ite militias in Iraq with most of it ending up with the Quds Force in Iran, is not acceptable.”<sup>3</sup>

Our conclusion that the Saudi government is the principal beneficiary of the U.S. media campaign (and that the U.S. media campaign constitutes “political activities” under FARA) is buttressed by information contained in the Podesta Group’s August 15, 2017 FARA registration as an agent of Mr. Al-Ansari (“Podesta Registration”). Exhibit B to that registration included a “Work Plan” to support the U.S. media campaign. The Work Plan included strategies and tactics to “reinforce Saudi Arabia’s role as a leader in stabilizing the region,” “shape stakeholders’ opinions and independent content about Saudi Arabia and Qatar,” promote “Saudi Arabia’s role as a regional and international security leader,” “elevat[e] Saudi Arabia’s profile as a regional and international leader on countering terrorism, and highlight[] [U.S.] support for Saudi Arabia’s position.” Podesta Registration, Exhibit B, Work Plan at 1, 3, 4.

In conclusion, we have determined that SAPRAC must amend its FARA registration because its activities on behalf of Mr. Al-Ansari with respect to the U.S. media campaign constitute “political activities” as defined under the Act that were conducted at the order, request, or under the direction or control of a foreign principal (Mr. Al-Ansari) in furtherance of, and for the purpose of influencing, U.S. government officials and sections of the public within the United States, with reference to the political or public interests, policies, or relations of a foreign government or a foreign political party (Qatar). SAPRAC cannot rely on the exemption set forth in Section 613(h) of FARA because the principal beneficiary of the political activities conducted within the United States—namely, the U.S. media campaign—was and is the Saudi government.<sup>4</sup>

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<sup>1</sup> See, e.g., Anne Barnard & David D. Kirkpatrick, *5 Arab Nations Move to Isolate Qatar, Putting the U.S. in a Bind*, N.Y. TIMES, June 5, 2017; Patrick Wintour, *Gulf plunged into diplomatic crisis as countries cut ties with Qatar*, THE GUARDIAN, June 5, 2017.

<sup>2</sup> Saudi Press Agency, *Kingdom of Saudi Arabia severs diplomatic and consular relations with Qatar*, June 5, 2017, <http://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=1637321> (accessed August 28, 2017).

<sup>3</sup> Royal Embassy of Saudi Arabia, *Saudi Foreign Minister: Demands on Qatar to Stop Funding Terrorism are Non-Negotiable*, June 27, 2017, <https://www.saudiembassy.net/news/saudi-foreign-minister-demands-qatar-stop-funding-terrorism-are-non-negotiable> (accessed August 28, 2017).

<sup>4</sup> To be clear, amending the August 30 registration materials will not require SAPRAC to alter the content of the U.S. media campaign or any other advocacy it undertakes in the United States regarding Qatar. Indeed, if registered

Accordingly, SAPRAC must amend the following portions of its registration materials:

(1) Registration Statement

- a. In Item 9, SAPRAC must disclose any money it received from Mr. Ansari during the 60 days preceding its obligation to register;
- b. In Item 10, SAPRAC must disclose any money it disbursed in the 60 days preceding its obligation to register;
- c. In Item 13, SAPRAC must disclose the amount of funds allocated for the U.S. media campaign; and
- d. In Item 14, SAPRAC must disclose the identities of any contractors used in the U.S. media campaign.

(2) Exhibit A

- a. In Item 8(a), SAPRAC must disclose the U.S. media campaign as part of its activities; and
- b. In Item 9, SAPRAC must disclose any foreign funding for the U.S. media campaign.

(3) Exhibit B

- a. In Item 7, SAPRAC must describe the nature and method of performance of the U.S. media campaign;
- b. In Item 8, SAPRAC must describe the activities in which it has engaged as part of the U.S. media campaign; and
- c. In Item 9, SAPRAC must describe the nature of the political activities in which it has engaged as part of the U.S. media campaign and disclose the relations, interests, or policies it has sought to influence along with the means it has used to achieve this purpose.

Useful information and forms needed for amending the registration may be found on our website at <https://www.fara.gov>. Please amend SAPRAC's registration, filing any necessary short form registration statements, within thirty (30) days of the date of this letter. If you have any questions or wish to meet with us regarding our determination, please contact [REDACTED] by telephone at (202) 233-0776 or by email to [FARA.public@usdoj.gov](mailto:FARA.public@usdoj.gov).

Sincerely,

[REDACTED]

Heather H. Hunt  
Chief, FARA Registration Unit

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as required, SAPRAC would remain free to disseminate within the United States any information it deems relevant to advising the American public, or the U.S. Government, about Qatar's activities.