

Congress of the United States
Washington, DC 20510

August 7, 2020

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20350
Dear Attorney General Barr,

Since 2017, many in Congress have engaged the Department of Justice (DOJ) regarding enforcement of the Foreign Agents Registration Act (FARA) on Qatari-owned media company Al Jazeera. This includes a letter sent last year requesting the Department explain what steps it had taken to determine whether Al Jazeera should register as a foreign agent. Recently, we have seen determinations by DOJ to require organizations to register such as Turkish Radio and Television Corporation (TRT) and Qatar-America Institute. We appreciate these actions that ensure FARA is rigorously enforced to protect U.S. national interests from the undue influence of foreign nations. In order to ensure this law is robustly enforced, we request that DOJ require Al Jazeera, the media network owned and funded by the state of Qatar, to register under FARA for the below reasons.

In August 2019, the Department determined that TRT meets the legal criteria of a foreign agent, and must register under FARA. The Department stated that the Turkish government “exercises direction and control of TRT by regulation and oversight, and by controlling its leadership, budget, and content,” and that TRT engaged in “political activities” for the purpose of influencing U.S. public opinion and government policy. Al Jazeera also engages in political activities and disseminates information in the United States that advance the interests of Qatar. Al Jazeera has long operated as a publicity agent of Emir Tamim bin Hamad Al Thani and the rest of the Qatari ruling family. Corporate documents filed in the United Kingdom show that Al Jazeera International (AJI) was controlled by the Emir of Qatar until 2018, after which the person of significant control was changed from the Emir of Qatar to Al Jazeera Media Network (AJMN). The board of AJMN is chaired by Sheikh Hamad bin Thamer Al Thani, a relative of the Emir, and includes other Qatari royal family members.

Congress has responded to foreign interference in American politics by strengthening U.S. laws governing foreign agents. In 2018, Congress passed Section 722 of the National Defense Authorization Act (NDAA), which required that foreign-owned and controlled media file a report with the Federal Communications Commission (FCC).¹ Under Section 722, U.S.-based foreign media outlets must submit reports to the FCC about their relationship with their foreign principals, and the Commission must make these reports publicly available.² This was done largely to close loopholes that exempted many foreign media organizations from having to register under the more stringent standard in FARA.

As a media outlet funded and directed by a foreign sovereign, Al Jazeera is undeniably subject to this FCC registration requirement. Yet Al Jazeera has missed three consecutive FCC filing deadlines, in addition to openly defying FARA requirements, claiming without evidence that it is completely independent of the state.

A cursory scan of Al Jazeera's coverage will produce more than sufficient evidence to refute Al Jazeera's frequent claims of editorial independence. Mohammad Fahmy, who previously served as the Cairo bureau chief for Al Jazeera English, explicitly stated that Al Jazeera "coordinated and takes directions from the [Qatar] government," and acts, at least in part, as "a mouthpiece for Qatari intelligence."³ Indeed, Fahmy found himself imprisoned in Egypt's infamous Scorpion prison due to Al Jazeera's negligent and unethical practices, which included concealing from Fahmy that the network had lost its license to operate in Egypt just days before the network hired him.

Al Jazeera claims to promote democracy and free speech. But the network is functionally muzzled when it comes to coverage of domestic news and hardly ventures into coverage of Qatar itself, a dictatorship that turns a blind eye to terror finance while offering refuge to Hamas commanders.⁴ According to a new law issued by the Emir of Qatar in January 2020, Al Jazeera, along with all Qatari media, is forbidden from publishing any "false or biased rumors, statements, or news, or inflammatory propaganda, domestically or abroad, with the intent to harm national interests, stir up public opinion, or infringe on the social system or the public system of the state," with threat of imprisonment.⁵

¹ Sec. 722. Disclosure Requirements for United States-Based Foreign Media, 47 USC 624.

² "United States-Based Foreign Media Outlets," Federal Communications Commission.

(<https://www.fcc.gov/united-states-based-foreign-media-outlets>)

³ Seth Frantzman, "A weapon against its neighbors': former Al Jazeera bureau chief speaks out against network," The Jerusalem Post, August 23, 2017. (<https://www.jpost.com/middle-east/a-weapon-against-its-neighbors-former-al-jazeera-bureau-chief-speaks-out-against-network-503206>)

⁴ Varsha Koduvayur, "It's Time for Al Jazeera to Register Under Fara," Foundation for Defense of Democracies, March 31, 2020. (<https://www.fdd.org/analysis/2020/03/31/it-is-time-for-al-jazeera-to-register-under-fara/>)

⁵ "Qatar: Repressive new law further curbs freedom of expression," Amnesty International, January 20, 2020.

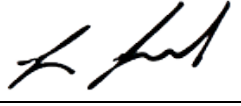
(<https://www.amnesty.org/en/latest/news/2020/01/qatar-repressive-new-law-further-curbs-freedom-of-expression/>)

These practices are indicative of a media network that is completely editorially controlled by its foreign sovereign. If the DOJ has found that TRT is subject to FARA registration due to the government of Turkey exercising “direction and control of TRT by regulation and oversight,” as well as “by controlling its leadership, budget, and content,” then the same is true of Al Jazeera. If engaging in “political activities” that sought to influence U.S. public opinion and government policy merited TRT’s registration, then Al Jazeera – with its clearly biased coverage and its attempts to prop up Qatar’s favored actors throughout the region – must also be held to that standard. Furthermore, on May 29, 2020, Qatar-America Institute (QAI), a 501(c)(3) nonprofit organization, registered under FARA as an agent of Qatar after DOJ requested further information on the Institute’s political activity. This is another example of an organization owned and funded by Qatar that has been engaging in political activities in the United States to influence U.S. public opinion without registering under FARA.

At a minimum, Al Jazeera should be compelled to register with the FCC under Section 722 of the 2018 NDAA. The American people have a right to know where their information is coming from, particularly if it is from a foreign government. As such, we request the DOJ to immediately review and issue a determination letter requiring Al Jazeera to register under FARA. Additionally, to help us understand why this has not yet happened, we would request the answer to the following questions:

1. Why has the DOJ not issued a determination for Al Jazeera to register under FARA?
2. What analysis, information, or assessment has the DOJ undertaken thus far regarding a potential determination of Al Jazeera as a foreign agent?
3. If the DOJ has not considered any kind of determination relating to Al Jazeera, why has it not done so?
4. Regarding Section 722 registration, are there actions the DOJ can take to compel Al Jazeera to comply with the FCC registration requirement?
5. Is there any additional legislation from Congress that the DOJ believes is needed to ensure that it can enforce the law as it relates to Al Jazeera, and similarly situated media companies?

Thank you for your attention to this important issue. We look forward to your prompt response.



Lee Zeldin
U.S. Representative



Marco Rubio
U.S. Senator



Liz Cheney
U.S. Representative



Tom Cotton
U.S. Senator



Brian Mast
U.S. Representative



Ted Cruz
U.S. Senator



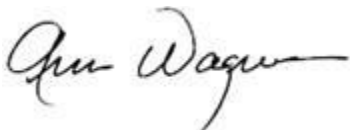
Steve Chabot
U.S. Representative



Peter King
U.S. Representative



Jack Bergman
U.S. Representative



Ann Wagner
U.S. Representative