

U.S. Lawmakers Urge DOJ to Investigate Potential FARA Violations by CCP-Controlled Drone Company

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U.S. Reps. John Moolenaar (R-MI) and Elise Stefanik (R-NY) recently co-authored a **letter** to Attorney General Merrick Garland calling for an investigation of a drone company with ties to the Chinese Communist Party (CCP) for potential FARA violations. Moolenaar serves as Chairman of the House Select Committee on the CCP.

According to the lawmakers, The Drone Advocacy Alliance (Alliance) lobbies for the interests of and is funded by DJI Technologies Inc. (DJI), which has ties to both the People's Republic of China (PRC) and the CCP. The lawmakers allege that the Alliance is being used by Shenzhen-based and CCP-controlled DJI as a promotional tool to market DJI drones in the United States. They dispute the Alliance's characterization of DJI drones as "critical lifesaving tools that do not pose risks to U.S. national security."

Moolenaar and Stefanik assert that "DJI is directly facilitating genocidal crimes, arming the Chinese military, and advancing the strategic objectives of the CCP, an adversary that threatens U.S. national security." The letter further suggests that DJI promotes the interests and capabilities of the People's Liberation Army (PLA), a group identified by the U.S. Department of Defense as a Chinese military company, by directly equipping the PLA with drones.

The Foreign Agents Registration Act (FARA) requires any person acting as an "agent of a foreign principal," as defined under the statute, to register with the U.S. Department of Justice (DOJ) absent an exemption to registration. Moolenaar and Stefanik said in their letter that the Alliance is obligated to register under FARA because it

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Practice Areas

Foreign Agents Registration Act (FARA)
Foreign Ownership, Control or Influence (FOCI)

is a foreign agent promoting CCP-led disinformation that targets Americans and seeks to influence U.S. policy. The letter states that “FARA is intended to protect U.S. national security by requiring enhanced transparency into certain activities of organizations operating in the U.S. on behalf of foreign entities, including lobbying to influence U.S. policy.”

The lawmakers ask DOJ to review the Alliance’s activities and assess whether FARA registration should be required, and to provide their staff with a briefing to the extent that an exemption to FARA registration applies. This Congressional effort reflects an increasing focus of U.S. policymakers on ensuring that FARA is fully enforced, and that the LDA and other exemptions to FARA registration are being properly used.

Wiley’s **FARA Handbook** provides additional information on FARA. Please contact the attorneys listed on this alert with any questions.

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