DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS

**District of Columbia Government**

Corporations Division

## Articles of Incorporation of Domestic For-Profit Corporation

One or more persons acting as the incorporator or incorporators under the provisions of the Title 29 of D.C. Code (Business Organizations Act) adopt the following Articles of Incorporation:

**First:** Corporation Name:
Okinawa Prefecture DC Office, Inc.

**Second:** The number of shares which the corporation is authorized to issue:

| Number of Shares | Class of Shares | Par Value of Shares | Total Amount |
|---|---|---|---|
| 5,000 | Common | $1.00 | $5,000.00 |
| 0 | Common | $1.00 | $0.00 |

**Third:** Registered Agent name and address in the District Columbia:
CORPORATE SERVICES COMPANY (THE)
1100 NEW YORK AVENUE, N.W.
West Tower, Suite 500
Washington, District of Columbia 20005

**Fourth:** Miscellaneous Provisions:

**Fifth:** Directors Name & Address:
No directors.

**Sixth:** Incorporators Name & Address:

| Name | Address |
|---|---|
| Daniel S. Krakower | Shulman, Rogers, Gandal, Pordy & Ecker, PA, 12505 Park Potomac Avenue, Sixth Floor, Potomac, Maryland 20854 |

**Seventh:** Incorporators executing this form:
No information provided.

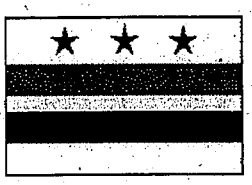
If you sign this form you agree that anyone who makes a false statement can be punished by criminal penalties of a fine up to $1000, imprisonment up to 180 days, or both, under DCOC § 22-2405;

**Amount Paid:**
**Date:** 5/12/2015 9:35 AM
**E-Signed**

Initial File #: C00005197116

# GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
CORPORATIONS DIVISION



## CERTIFICATE

**THIS IS TO CERTIFY** that all applicable provisions of the District of Columbia Business Organizations Code have been complied with and accordingly, this ***CERTIFICATE OF INCORPORATION*** is hereby issued to:

Okinawa Prefecture DC Office, Inc.

**Effective Date:** 5/8/2015

**IN WITNESS WHEREOF I** have hereunto set my hand and caused the seal of this office to be affixed as of 5/12/2015 9:35 AM

Business and Professional Licensing Administration

PATRICIA E. GRAYS
Superintendent of Corporations
Corporations Division

Muriel Bowser
Mayor

Tracking #: WdtYYZqr

起案用紙　　沖縄県

| 分類 | 2 | 14 | D | 決裁印 |
|---|---|---|---|---|
| 保存種別 | 第２種　１０年 | | | |
| 文書記号・番号 | 知基第226号 | | | |
| 処理経過 収受 | 年　月　日 | | | |
| 処理経過 起案 | 令和０６年１２月１９日 | | | |
| 処理経過 処理期限 | 年　月　日 | | | |
| 処理経過 施行 | 年　月　日 | | | |
| 担当課 | 知事公室 基地対策課 渉外班 | | | |
| 起案者 職 | 主査 | | 印 | |
| 起案者 氏名 | [redacted] | | | |
| 起案者 電話 | [redacted] | | | |
| 情報公開 | 開示 | | | |

決裁
-6.12.24
沖縄県

| 決裁区分 | 知事 | |
|---|---|---|
| 公印の有無 | 公印省略 | |
| 案1 | | 公印 |
| 発送日 | 年　月　日 | |
| 発送種別 | | |
| 案2 | | 公印 |
| 発送日 | 年　月　日 | |
| 発送種別 | | |
| 案3 | | 公印 |
| 発送日 | 年　月　日 | |
| 発送種別 | | |
| 案4 | | 公印 |
| 発送日 | 年　月　日 | |
| 発送種別 | | |

知事(21)　池田副知事(20)　照屋副知事(19)　総務部長(18)

総務統括監(17)　財政統括監(16)　人事課長(15)　人材育成班長(14)

行政管理課長(13)　組織管理班長(12)　財政課長(11)　財政調整主幹(10)　班長

管財課長(9)　財産調整班長(8)　知事公室長(7)　基地対策統括監(6)

秘書課長(5)　基地対策課長(4)　副参事(3)　班長(2)

班員(1)

| 件名 | ワシントン駐在が活動するための法人の設立について（伺い） |
|---|---|

みだしのことについて、平成27年３月31日に「沖縄県職員の駐在等に関する規程」を改正して米国ワシントンD.C.に駐在職員を配置しております。

駐在職員が継続的に活動する必要があることから、同年５月に米国の関係法令を踏まえ、コロンビア特別区（ワシントンD.C.）の事業組織法に基づき、日本の株式会社に相当する形態の法人としてOkinawa Prefecture DC Office, Inc（以下「ワシントンDCオフィス社」という。）を設立し、駐在活動の支援委託業務の中からワシントンDCオフィス社の口座に振り込んだ資金のうち1,000ドル（約126千円）を出資と位置付けております。

米国の法令に基づいて適法に設立されているものの、設立当時、日本の株式会社に相当する法人の設立に係る起案が行われていないため、文書による県の意思決定が確認できない状態となっております。

本来、設立する法人の形態や手続が明らかになった時点で文書により明確に意思を決定し

| 発送種別 | ①庁内施行　②郵便　③ファクシミリ　④電子メール　⑤LGWAN | 施行区分 | ①例規　②公報登載 |
|---|---|---|---|

注　発送種別については、該当するものの番号をそれぞれの欄に記入すること。
　　該当するものがない場合には、簡潔にその内容を記入すること。

、必要な手続を整理しておく必要があり、また、ワシントンDCオフィス社は引き続き必要なものですので、法人の設立及び別紙１に掲げる設立のために行われた手続、設立後の運営及び職員の身分の考え方について追認し、又は確認してよいでしょうか。

また、今後、ワシントンDCオフィス社の運営について必要な事項を別紙２のとおり定めてよいでしょうか。

併せて、ワシントンDCオフィス社として、株主総会を開催する必要がありますので、その取扱いについては、別紙３のとおりとしてよいでしょうか。

| 発送種別 | ①庁内施行　②郵便　③ファクシミリ　④電子メール　⑤LGWAN | 施行区分 | ①例規　②公報登載 |
|---|---|---|---|

注　発送種別については、該当するものの番号をそれぞれの欄に記入すること。
　　該当するものがない場合には、簡潔にその内容を記入すること。

ワシントンDCオフィス社の設立のために行われた手続及び
設立後の運営に関して追認し、又は確認すべき事項

１　出資について

平成27年５月８日にコロンビア特別区事業組織法に基づいて設立されたワシントンDCオフィス社に1,000ドルを出資し、株式を取得する。

その際、平成27年度ワシントン駐在員活動支援事業として、ワシントンコア社に委託した業務の一環で、同社がワシントンDCオフィス社の口座に振り込んだ資金の一部1,000ドルを出資と位置付ける。

なお、出資は委託業務の一環として行うこと、委託業務に係る予算執行伺いは行われていることから、出資に係る予算執行伺いは行わない。

２　基本定款及び附属定款の内容

別添の基本定款及び附属定款の内容については、適切なものとして追認する。

３　株主総会及び取締役会

平成27年６月17日に、発起人により選任された取締役が開催した取締役会の内容は適切なものとして追認する。

平成28年５月１日以降、毎年、書面により開催された株主総会の内容は適切なものとして追認する。

また、書面により開催された株主総会において、駐在職員が行使した議決権は、沖縄県として行使したものとして追認する。

4　駐在職員の身分について

(1)　基本的な考え方

駐在職員は県職員の身分を有し、かつ、ワシントンDCオフィス社の役員としての身分を併せ持つこととなる。

(2)　地方公務員法第38条との関係

他の団体の役員の地位を兼ねることになるため、地方公務員法第38条、営利企業への従事等の制限に関する規則及び沖縄県職員服務規程に基づき、営利企業従事許可の手続を行うこととする。

(3)　公益的法人等への一般職の地方公務員の派遣等に関する法律（以下「法」という。）第10条との関係

ア　法第10条の特定法人は、「当該地方公共団体が出資している株式会社のうち、その業務の全部又は一部が地域の振興、住民の生活の向上その他公益の増進に寄与するとともに当該地方公共団体の事務又は事業と密接な関連を有するものであり、かつ、当該地方公共団体がその施策の推進を図るため人的援助を行うことが必要であるとして条例で定めるもの」とされている。

イ　一般に、「援助」とは「他人の事業活動、生活等を（中略）人的な支援等により、助けること」とされている。（法令用語研究会「法律用語辞典」有斐閣）

ウ　ワシントンDCオフィス社は、県が自らの業務を行う上で、米国の法制度に適合した受け皿が必要であるために設立したものであり、その事業目的は県の駐在の担当事務に含まれる。

エ　すなわち、同社の活動は、県から見て「他人の事業活動」とは言えず、「人的援助を行うことが必要」と整理されるべきものではなく、駐在を命じられた職員が駐在の担当事務を行っていることに変わりはない。

オ　したがって、ワシントンDCオフィス社は、法が規定する「特定法人」には当たらない。

（以上）

# ワシントン駐在及びワシントンDCオフィス社の事務に関する要領

（目的）

第１条　この要領は、沖縄県職員の駐在等に関する規程（以下「駐在規程」という。）に基づいてワシントンで勤務する駐在（以下「駐在職員」という。）が活動するため、沖縄県事務決裁規程その他関係法令に定めるほか、必要な事項を定めるものとする。

（法人）

第２条　駐在職員が米国で活動するための受け皿となる組織として、Okinawa Prefecture DC Office, Inc（以下「ワシントンDCオフィス社」という。）を設立し、駐在職員は、ワシントンDCオフィス社を招へい人（スポンサー）としてビザを取得する。

２　ワシントンDCオフィス社は、駐在規程で示される駐在職員の担当事務の遂行に必要な範囲で活動する。

（駐在の身分）

第３条　駐在職員は、県職員としての身分及びワシントンDCオフィス社の役員としての身分を併せ持つ。このため、駐在職員は、地方公務員法第38条が規定する営利企業に従事するための許可を申請するものとする。

（株主総会）

第４条　ワシントンDCオフィス社の株主総会における県の株主としての議決権は、駐在職員があらかじめ基地対策課に議案の内容を報告し、基地対策課を通じて知事から個別に委任された場合、駐在職員が行使する。

２　知事が前項の委任を行う場合は、別紙の委任状により行うものとする。

（公有財産）

第５条　県がワシントンDCオフィス社への出資に伴って取得した株券は、公有財産（有価証券）として、沖縄県公有財産規則に基づいて管理する。

（経営状況の報告）

第６条　県は、地方自治法第243条の３第２項の規定により議会に経営状況を報告する必要があることから、株主としてワシントンDCオフィス社に事業計画及び予算等に相当する書類並びに損益計算書、貸借対照表及び事業報告書等に相当する書類の提出を求め、これを議会に提出する。

附　　則

この要領は令和６年○月○日から施行する。

（第４条関係）

別紙

# 委任状

私は、　　年　月　日に開催されるOkinawa Prefecture DC Office, Incの株主総会における議決権の行使を下記の者に委任します。

ただし、私が出席する場合は、本委任状は無効とします。

記

所属・氏名＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿

年　　月　　日

株主　沖縄県那覇市泉崎１丁目２番２号
沖縄県
代表者　沖縄県知事　知　　事　　名　　印

別紙３

ワシントンDCオフィス社に係る株主総会の運営について

令和６年12月　日
知　事　公　室

１　ワシントンDCオフィス社の株主総会における県の株主としての議決権は、駐在職員があらかじめ基地対策課に議案の内容を報告し、基地対策課を通じて知事から個別に委任された場合、駐在職員が行使する。

２　株主は知事という個人ではなく沖縄県であり、１の取扱いは、沖縄県以外の者に代理させて議決権を行使する訳ではないから、会社法第310条又は同条に相当する米国の規定にいう「代理人による議決権行使」ではなく、あくまで、県内部の関係において、駐在職員が知事の権限に属する事務を補助するものである。

３　事務決裁規程上、駐在職員が専決できる事務がないことから、駐在職員が行う議決権の行使は、知事公室長又は基地対策課長の指示の範囲で行うものとする。

４　知事公室長又は基地対策課長が行う指示は、文書により行う。

**DEPARTMENT OF LICENSING AND CONSUMER PROTECTION**
**District of Columbia Government**
**Corporations Division**

# Articles of Dissolution of Domestic For-Profit Corporation
## Form DBU-7, Version 4, August 2023

This form will allow a domestic business corporation to dissolve and wind down its business. A corporation shall be dissolved upon the effective date its articles of dissolution.

| ENTITY TYPE | FILING FEE |
|---|---|
| Domestic Filing Entity | Refer to Corporate Fee Schedule posted online; |

**Under the provisions of the Title 29 of D.C. Code (Business Organizations Act), the domestic filing entity listed below hereby applies for a Certificate of Dissolution and for that purpose submits the statement below.**

1. The name of the corporation.
Okinawa Prefecture DC Office, Inc.

2. The date dissolution was authorized.
June 12, 2025

3. The proposal to dissolve was duly approved by the shareholders in the manner required by § 29-312.03 and by the articles of incorporation.

If you sign this form you agree that anyone who makes a false statement can be punished by criminal penalties of a fine up to $1000, imprisonment up to 180 days, or both, under DCOC § 22-2405;

| 4. Name of the Governor or Authorized Person: | 4A. Signature of the Governor or Authorized Person |
|---|---|
| Kazuyuki Nakazato | 6/12/2025 **ESIGNED** |

Mail all forms and required payment to:
Department of Licensing and Consumer Protection
Corporations Division
PO Box 712300
Philadelphia, PA 19171-2300

**Corporate Online Services Information:**
Many corporate filings are available by using CorpOnline Service, Go to CorpOnline site at **https://corp.dlcp.dc.gov**, create a profile, access the online services main page and proceed. Online filers must pay by using a credit card.

Please check dlcp.dc.gov to view organizations required to register, to search business names, to get step-by-step guidlines to register an organization, to search registered organizations, and to download forms and documents. Just click on "Corporate Registration."

Initial File #: C00005197116

# GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION
CORPORATIONS DIVISION

## C E R T I F I C A T E

**THIS IS TO CERTIFY** that all applicable provisions of the District of Columbia Business Organizations Code have been complied with and accordingly, this ***CERTIFICATE OF DISSOLUTION*** is hereby issued to:

Okinawa Prefecture DC Office, Inc.

**Effective Date:** 6/12/2025

**IN WITNESS WHEREOF I** have hereunto set my hand and caused the seal of this office to be affixed as of 6/12/2025 2:19 PM

Business and Professional Licensing Administration

Rebecca Janovich

REBECCA JANOVICH
Superintendent of Corporations,
Corporations Division

Muriel Bowser
Mayor

Tracking #: mvsrauwL

地方自治法
　発令　　：昭和22年4月17日法律第67号
　最終改正：令和7年5月30日号外法律第47号
　改正内容：令和7年4月16日号外法律第22号［令和７年10月１日］

〔議決事件〕
第九十六条　普通地方公共団体の議会は、次に掲げる事件を議決しなければならない。
一　条例を設け又は改廃すること。
二　予算を定めること。
三　決算を認定すること。
四　法律又はこれに基づく政令に規定するものを除くほか、地方税の賦課徴収又は分担金、使用料、加入金若しくは手数料の徴収に関すること。
五　その種類及び金額について政令で定める基準に従い条例で定める契約を締結すること。
六　条例で定める場合を除くほか、財産を交換し、出資の目的とし、若しくは支払手段として使用し、又は適正な対価なくしてこれを譲渡し、若しくは貸し付けること。
七　不動産を信託すること。
八　前二号に定めるものを除くほか、その種類及び金額について政令で定める基準に従い条例で定める財産の取得又は処分をすること。
九　負担付きの寄附又は贈与を受けること。
十　法律若しくはこれに基づく政令又は条例に特別の定めがある場合を除くほか、権利を放棄すること。
十一　条例で定める重要な公の施設につき条例で定める長期かつ独占的な利用をさせること。
十二　普通地方公共団体がその当事者である審査請求その他の不服申立て、訴えの提起（普通地方公共団体の行政庁の処分又は裁決（行政事件訴訟法第三条第二項に規定する処分又は同条第三項に規定する裁決をいう。以下この号、第百五条の二、第百九十二条及び第百九十九条の三第三項において同じ。）に係る同法第十一条第一項（同法第三十八条第一項（同法第四十三条第二項において準用する場合を含む。）又は同法第四十三条第一項において準用する場合を含む。）の規定による普通地方公共団体を被告とする訴訟（以下この号、第百五条の二、第百九十二条及び第百九十九条の三第三項において「普通地方公共団体を被告とする訴訟」という。）に係るものを除く。）、和解（普通地方公共団体の行政庁の処分又は裁決に係る普通地方公共団体を被告とする訴訟に係るものを除く。）、あっせん、調停及び仲裁に関すること。
十三　法律上その義務に属する損害賠償の額を定めること。
十四　普通地方公共団体の区域内の公共的団体等の活動の総合調整に関すること。
十五　その他法律又はこれに基づく政令（これらに基づく条例を含む。）により議会の権限に属する事項
②　前項に定めるものを除くほか、普通地方公共団体は、条例で普通地方公共団体に関する事件（法定受託事務に係るものにあつては、国の安全に関することその他

の事由により議会の議決すべきものとすることが適当でないものとして政令で定めるものを除く。）につき議会の議決すべきものを定めることができる。

〔検閲・検査及び監査の請求〕

第九十八条　普通地方公共団体の議会は、当該普通地方公共団体の事務（自治事務にあつては労働委員会及び収用委員会の権限に属する事務で政令で定めるものを除き、法定受託事務にあつては国の安全を害するおそれがあることその他の事由により議会の検査の対象とすることが適当でないものとして政令で定めるものを除く。）に関する書類及び計算書を検閲し、当該普通地方公共団体の長、教育委員会、選挙管理委員会、人事委員会若しくは公平委員会、公安委員会、労働委員会、農業委員会又は監査委員その他法律に基づく委員会又は委員の報告を請求して、当該事務の管理、議決の執行及び出納を検査することができる。

②　議会は、監査委員に対し、当該普通地方公共団体の事務（自治事務にあつては労働委員会及び収用委員会の権限に属する事務で政令で定めるものを除き、法定受託事務にあつては国の安全を害するおそれがあることその他の事由により本項の監査の対象とすることが適当でないものとして政令で定めるものを除く。）に関する監査を求め、監査の結果に関する報告を請求することができる。この場合における監査の実施については、第百九十九条第二項後段の規定を準用する。

〔調査、出頭証言及び記録の提出請求並びに政務活動費等〕

第百条　普通地方公共団体の議会は、当該普通地方公共団体の事務（自治事務にあつては労働委員会及び収用委員会の権限に属する事務で政令で定めるものを除き、法定受託事務にあつては国の安全を害するおそれがあることその他の事由により議会の調査の対象とすることが適当でないものとして政令で定めるものを除く。次項において同じ。）に関する調査を行うことができる。この場合において、当該調査を行うため特に必要があると認めるときは、選挙人その他の関係人の出頭及び証言並びに記録の提出を請求することができる。

②　民事訴訟に関する法令の規定中証人の訊問に関する規定は、この法律に特別の定めがあるものを除くほか、前項後段の規定により議会が当該普通地方公共団体の事務に関する調査のため選挙人その他の関係人の証言を請求する場合に、これを準用する。ただし、過料、罰金、拘留又は勾引に関する規定は、この限りでない。

③　第一項後段の規定により出頭又は記録の提出の請求を受けた選挙人その他の関係人が、正当の理由がないのに、議会に出頭せず若しくは記録を提出しないとき又は証言を拒んだときは、六箇月以下の拘禁刑又は十万円以下の罰金に処する。

④　議会は、選挙人その他の関係人が公務員たる地位において知り得た事実については、その者から職務上の秘密に属するものである旨の申立てを受けたときは、当該官公署の承認がなければ、当該事実に関する証言又は記録の提出を請求することができない。この場合において当該官公署が承認を拒むときは、その理由を疎明しなければならない。

⑤　議会が前項の規定による疎明を理由がないと認めるときは、当該官公署に対し、当該証言又は記録の提出が公の利益を害する旨の声明を要求することができる。

⑥　当該官公署が前項の規定による要求を受けた日から二十日以内に声明をしないときは、選挙人その他の関係人は、証言又は記録の提出をしなければならない。

⑦　第二項において準用する民事訴訟に関する法令の規定により宣誓した選挙人その他の関係人が虚偽の陳述をしたときは、これを三箇月以上五年以下の拘禁刑に処する。
⑧　前項の罪を犯した者が議会において調査が終了した旨の議決がある前に自白したときは、その刑を減軽し又は免除することができる。
⑨　議会は、選挙人その他の関係人が、第三項又は第七項の罪を犯したものと認めるときは、告発しなければならない。ただし、虚偽の陳述をした選挙人その他の関係人が、議会の調査が終了した旨の議決がある前に自白したときは、告発しないことができる。
⑩　議会が第一項の規定による調査を行うため当該普通地方公共団体の区域内の団体等に対し照会をし又は記録の送付を求めたときは、当該団体等は、その求めに応じなければならない。
⑪　議会は、第一項の規定による調査を行う場合においては、あらかじめ、予算の定額の範囲内において、当該調査のため要する経費の額を定めて置かなければならない。その額を超えて経費の支出を必要とするときは、更に議決を経なければならない。
⑫　議会は、会議規則の定めるところにより、議案の審査又は議会の運営に関し協議又は調整を行うための場を設けることができる。
⑬　議会は、議案の審査又は当該普通地方公共団体の事務に関する調査のためその他議会において必要があると認めるときは、会議規則の定めるところにより、議員を派遣することができる。
⑭　普通地方公共団体は、条例の定めるところにより、その議会の議員の調査研究その他の活動に資するため必要な経費の一部として、その議会における会派又は議員に対し、政務活動費を交付することができる。この場合において、当該政務活動費の交付の対象、額及び交付の方法並びに当該政務活動費を充てることができる経費の範囲は、条例で定めなければならない。
⑮　前項の政務活動費の交付を受けた会派又は議員は、条例の定めるところにより、当該政務活動費に係る収入及び支出の状況を書面又は電磁的記録（電子的方式、磁気的方式その他人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるものをいう。以下同じ。）をもつて議長に報告するものとする。
⑯　議長は、第十四項の政務活動費については、その使途の透明性の確保に努めるものとする。
⑰　政府は、都道府県の議会に官報及び政府の刊行物を、市町村の議会に官報及び市町村に特に関係があると認める政府の刊行物を送付しなければならない。
⑱　都道府県は、当該都道府県の区域内の市町村の議会及び他の都道府県の議会に、公報及び適当と認める刊行物を送付しなければならない。
⑲　議会は、議員の調査研究に資するため、図書室を附置し前二項の規定により送付を受けた官報、公報及び刊行物を保管して置かなければならない。
⑳　前項の図書室は、一般にこれを利用させることができる。

（予算の調製及び議決）
第二百十一条　普通地方公共団体の長は、毎会計年度予算を調製し、年度開始前に、

議会の議決を経なければならない。この場合において、普通地方公共団体の長は、遅くとも年度開始前、都道府県及び第二百五十二条の十九第一項に規定する指定都市にあつては三十日、その他の市及び町村にあつては二十日までに当該予算を議会に提出するようにしなければならない。

２　普通地方公共団体の長は、予算を議会に提出するときは、政令で定める予算に関する説明書をあわせて提出しなければならない。

（予備費）

第二百十七条　予算外の支出又は予算超過の支出に充てるため、歳入歳出予算に予備費を計上しなければならない。ただし、特別会計にあつては、予備費を計上しないことができる。

２　予備費は、議会の否決した費途に充てることができない。

（財政状況の公表等）

第二百四十三条の三　普通地方公共団体の長は、条例の定めるところにより、毎年二回以上歳入歳出予算の執行状況並びに財産、地方債及び一時借入金の現在高その他財政に関する事項を住民に公表しなければならない。

２　普通地方公共団体の長は、第二百二十一条第三項の法人について、毎事業年度、政令で定めるその経営状況を説明する書類を作成し、これを次の議会に提出しなければならない。

３　普通地方公共団体の長は、第二百二十一条第三項の信託について、信託契約に定める計算期ごとに、当該信託に係る事務の処理状況を説明する政令で定める書類を作成し、これを次の議会に提出しなければならない。

地方公務員法
　発令　　：昭和25年12月13日法律第261号
　最終改正：令和6年12月25日号外法律第72号
　改正内容：令和4年6月17日号外法律第68号［令和７年６月１日］

（服務の根本基準）
第三十条　すべて職員は、全体の奉仕者として公共の利益のために勤務し、且つ、職務の遂行に当つては、全力を挙げてこれに専念しなければならない。

（職務に専念する義務）
第三十五条　職員は、法律又は条例に特別の定がある場合を除く外、その勤務時間及び職務上の注意力のすべてをその職責遂行のために用い、当該地方公共団体がなすべき責を有する職務にのみ従事しなければならない。

（政治的行為の制限）
第三十六条　職員は、政党その他の政治的団体の結成に関与し、若しくはこれらの団体の役員となつてはならず、又はこれらの団体の構成員となるように、若しくはならないように勧誘運動をしてはならない。
２　職員は、特定の政党その他の政治的団体又は特定の内閣若しくは地方公共団体の執行機関を支持し、又はこれに反対する目的をもつて、あるいは公の選挙又は投票において特定の人又は事件を支持し、又はこれに反対する目的をもつて、次に掲げる政治的行為をしてはならない。ただし、当該職員の属する地方公共団体の区域（当該職員が都道府県の支庁若しくは地方事務所又は地方自治法第二百五十二条の十九第一項の指定都市の区若しくは総合区に勤務する者であるときは、当該支庁若しくは地方事務所又は区若しくは総合区の所管区域）外において、第一号から第三号まで及び第五号に掲げる政治的行為をすることができる。
一　公の選挙又は投票において投票をするように、又はしないように勧誘運動をすること。
二　署名運動を企画し、又は主宰する等これに積極的に関与すること。
三　寄附金その他の金品の募集に関与すること。
四　文書又は図画を地方公共団体又は特定地方独立行政法人の庁舎（特定地方独立行政法人にあつては、事務所。以下この号において同じ。）、施設等に掲示し、又は掲示させ、その他地方公共団体又は特定地方独立行政法人の庁舎、施設、資材又は資金を利用し、又は利用させること。
五　前各号に定めるものを除く外、条例で定める政治的行為
３　何人も前二項に規定する政治的行為を行うよう職員に求め、職員をそそのかし、若しくはあおつてはならず、又は職員が前二項に規定する政治的行為をなし、若しくはなさないことに対する代償若しくは報復として、任用、職務、給与その他職員の地位に関してなんらかの利益若しくは不利益を与え、与えようと企て、若しくは約束してはならない。
４　職員は、前項に規定する違法な行為に応じなかつたことの故をもつて不利益な取扱を受けることはない。
５　本条の規定は、職員の政治的中立性を保障することにより、地方公共団体の行

政及び特定地方独立行政法人の業務の公正な運営を確保するとともに職員の利益を保護することを目的とするものであるという趣旨において解釈され、及び運用されなければならない。

（営利企業への従事等の制限）

第三十八条　職員は、任命権者の許可を受けなければ、商業、工業又は金融業その他営利を目的とする私企業（以下この項及び次条第一項において「営利企業」という。）を営むことを目的とする会社その他の団体の役員その他人事委員会規則（人事委員会を置かない地方公共団体においては、地方公共団体の規則）で定める地位を兼ね、若しくは自ら営利企業を営み、又は報酬を得ていかなる事業若しくは事務にも従事してはならない。ただし、非常勤職員（短時間勤務の職を占める職員及び第二十二条の二第一項第二号に掲げる職員を除く。）については、この限りでない。

２　人事委員会は、人事委員会規則により前項の場合における任命権者の許可の基準を定めることができる。

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO



Sec.
619. Territorial applicability of subchapter.
620. Rules and regulations.
621. Reports to Congress.

SUBCHAPTER I—GENERALLY

**§ 601. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948**

Section, acts June 15, 1917, ch. 30, title VIII, § 3, 40 Stat. 226; Mar. 28, 1940, ch. 72, § 6, 54 Stat. 80, related to acting as a foreign agent without notice to Secretary of State. See section 951 of Title 18, Crimes and Criminal Procedure.

SUBCHAPTER II—REGISTRATION OF FOREIGN PROPAGANDISTS

EX. ORD. NO. 9176. TRANSFER OF REGISTRATION FUNCTIONS FROM THE SECRETARY OF STATE TO THE ATTORNEY GENERAL

Ex. Ord. No. 9176, May 29, 1942, 7 F.R. 4127, provided: By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, approved December 18, 1941 (Public Law No. 354, 77th Congress [section 601 et seq. of Title 50, Appendix, War and National Defense]), and as President of the United States, it is hereby ordered as follows:

1. All functions, powers and duties of the Secretary of State under the act of June 8, 1938 (52 Stat. 631), as amended by the act of August 7, 1939 (53 Stat. 1244), requiring the registration of agents of foreign principals, are hereby transferred to and vested in the Attorney General.

2. All property, books and records heretofore maintained by the Secretary of State with respect to his administration of said act of June 8, 1938, as amended, are hereby transferred to and vested in the Attorney General.

3. The Attorney General shall furnish to the Secretary of State for such comment, if any, as the Secretary of State may desire to make from the point of view of the foreign relations of the United States, one copy of each registration statement that is hereafter filed with the Attorney General in accordance with the provisions of this Executive order.

4. All rules, regulations and forms which have been issued by the Secretary of State pursuant to the provisions of said act of June 8, 1938, as amended, and which are in effect shall continue in effect until modified, superseded, revoked or repealed by the Attorney General.

5. This order shall become effective as of June 1, 1942.

FRANKLIN D ROOSEVELT.

**§ 611. Definitions**

As used in and for the purposes of this subchapter—

(a) The term "person" includes an individual, partnership, association, corporation, organization, or any other combination of individuals;

(b) The term "foreign principal" includes—

(1) a government of a foreign country and a foreign political party;

(2) 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, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States; and

(3) 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.

(c) Expect[1] as provided in subsection (d) of this section, the term "agent of a foreign principal" means—

(1) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal, and who directly or through any other person—

(i) engages within the United States in political activities for or in the interests of such foreign principal;

(ii) acts within the United States as a public relations counsel, publicity agent, information-service employee or political consultant for or in the interests of such foreign principal;

(iii) within the United States solicits, collects, disburses, or dispenses contributions, loans, money, or other things of value for or in the interest of such foreign principal; or

(iv) within the United States represents the interests of such foreign principal before any agency or official of the Government of the United States; and

(2) any person who agrees, consents, assumes or purports to act as, or who is or holds himself out to be, whether or not pursuant to contractual relationship, an agent of a foreign principal as defined in clause (1) of this subsection.

(d) The term "agent of a foreign principal" does not include any news or press service or association organized under the laws of the United States or of any State or other place subject to the jurisdiction of the United States, or any newspaper, magazine, periodical, or other publication for which there is on file with the United States Postal Service information in compliance with section 3611[2] of title 39, published in the United States, solely by virtue of any bona fide news or journalistic activities, including the solicitation or acceptance of advertisements, subscriptions, or other compensation therefor, so long as it is at least 80 per centum beneficially owned by, and its officers and directors, if any, are citizens of the United States, and such news or press service or association, newspaper, magazine, periodical, or other publication, is not owned, directed, supervised, controlled, subsidized, or financed, and none of its policies are determined by any foreign principal defined in subsection (b) of this section, or by any agent of a foreign principal required to register under this subchapter;

(e) The term "government of a foreign country" includes any person or group of persons exercising sovereign de facto or de jure political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign de facto or de jure authority or functions

[1] So in original. Probably should be "Except".

[2] So in original. Probably should be section "3685".

are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States;

(f) The term "foreign political party" includes any organization or any other combination of individuals in a country other than the United States, or any unit or branch thereof, having for an aim or purpose, or which is engaged in any activity devoted in whole or in part to, the establishment, administration, control, or acquisition of administration or control, of a government of a foreign country or a subdivision thereof, or the furtherance or influencing of the political or public interests, policies, or relations of a government of a foreign country or a subdivision thereof;

(g) The term "public-relations counsel" includes any person who engages directly or indirectly in informing, advising, or in any way representing a principal in any public relations matter pertaining to political or public interests, policies, or relations of such principal;

(h) The term "publicity agent" includes any person who engages directly or indirectly in the publication or dissemination of oral, visual, graphic, written, or pictorial information or matter of any kind, including publication by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or otherwise;

(i) The term "information-service employee" includes any person who is engaged in furnishing, disseminating, or publishing accounts, descriptions, information, or data with respect to the political, industrial, employment, economic, social, cultural, or other benefits, advantages, facts, or conditions of any country other than the United States or of any government of a foreign country or of a foreign political party or of a partnership, association, corporation, organization, or other combination of individuals organized under the laws of, or having its principal place of business in, a foreign country;

(j) Repealed. Pub. L. 104–65, §9(1)(A), Dec. 19, 1995, 109 Stat. 699.

(k) The term "registration statement" means the registration statement required to be filed with the Attorney General under section 612(a) of this title, and any supplements thereto required to be filed under section 612(b) of this title, and includes all documents and papers required to be filed therewith or amendatory thereof or supplemental thereto, whether attached thereto or incorporated therein by reference;

(*l*) The term "American republic" includes any of the states which were signatory to the Final Act of the Second Meeting of the Ministers of Foreign Affairs of the American Republics at Habana, Cuba, July 30, 1940;

(m) The term "United States", when used in a geographical sense, includes the several States, the District of Columbia, the Territories, the Canal Zone, the insular possessions, and all other places now or hereafter subject to the civil or military jurisdiction of the United States;

(n) The term "prints" means newspapers and periodicals, books, pamphlets, sheet music, visiting cards, address cards, printing proofs, engravings, photographs, pictures, drawings, plans, maps, patterns to be cut out, catalogs, prospectuses, advertisements, and printed, engraved, lithographed, or autographed notices of various kinds, and, in general, all impressions or reproductions obtained on paper or other material assimilable to paper, on parchment or on cardboard, by means of printing, engraving, lithography, autography, or any other easily recognizable mechanical process, with the exception of the copying press, stamps with movable or immovable type, and the typewriter;

(*o*) The term "political activities" means 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;

(p) The term "political consultant" means any person who engages in informing or advising any other person with reference to the domestic or foreign policies of the United States or the political or public interest, policies, or relations of a foreign country or of a foreign political party.

(June 8, 1938, ch. 327, §1, 52 Stat. 631; Aug. 7, 1939, ch. 521, §1, 53 Stat. 1244; Apr. 29, 1942, ch. 263, §1, 56 Stat. 249; Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352; Sept. 23, 1950, ch. 1024, title I, §20(a), 64 Stat. 1005; Aug. 1, 1956, ch. 849, §1, 70 Stat. 899; Pub. L. 87–366, §1, Oct. 4, 1961, 75 Stat. 784; Pub. L. 89–486, §1, July 4, 1966, 80 Stat. 244; Pub. L. 91–375, §6(k), Aug. 12, 1970, 84 Stat. 782; Pub. L. 104–65, §9(1), Dec. 19, 1995, 109 Stat. 699.)

REFERENCES IN TEXT

For definition of Canal Zone, referred to in subsec. (m), see section 3602(b) of this title.

CODIFICATION

Words "including the Philippine Islands," omitted from definition of "United States" in subsec. (m) pursuant to Proc. No. 2695, which granted independence to the Philippines under the authority of section 1394 of this title, under which section Proc. No. 2695 is set out as a note.

AMENDMENTS

1995—Subsec. (j). Pub. L. 104–65, §9(1)(A), struck out subsec. (j) which read as follows: "The term 'political propaganda' includes any oral, visual, graphic, written, pictorial, or other communication or expression by any person (1) which is reasonably adapted to, or which the person disseminating the same believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, or in any other way influence a recipient or any section of the public within the United States with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party or with reference to the foreign policies of the United States or promote in the United States racial, religious, or social dissensions, or (2) which advocates, advises, instigates, or promotes any racial, social, political, or religious disorder, civil riot, or other conflict involving the use of force or violence in any other American republic or the overthrow of any government or political subdivision of any other American republic by any means involving the use of force or violence. As used in this subsection the term 'dis-

seminating' includes transmitting or causing to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce or offering or causing to be offered in the United States mails;".

Subsec. (o). Pub. L. 104–65, §9(1)(B), substituted "any activity that the person engaging in believes will, or that the person intends to, in any way influence" for "the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence".

Subsec. (p). Pub. L. 104–65, §9(1)(C), substituted a period for semicolon at end.

Subsec. (q). Pub. L. 104–65, §9(1)(D), struck out subsec. (q) which read as follows: "For the purpose of section 613(d) of this title, activities in furtherance of the bona fide commercial, industrial or financial interests of a domestic person engaged in substantial commercial, industrial or financial operations in the United States shall not be deemed to serve predominantly a foreign interest because such activities also benefit the interests of a foreign person engaged in bona fide trade or commerce which is owned or controlled by, or which owns or controls, such domestic person: *Provided*, That (i) such foreign person is not, and such activities are not directly or indirectly supervised, directed, controlled, financed or subsidized in whole or in substantial part by, a government of a foreign country or a foreign political party, (ii) the identity of such foreign person is disclosed to the agency or official of the United States with whom such activities are conducted, and (iii) whenever such foreign person owns or controls such domestic person, such activities are substantially in furtherance of the bona fide commercial, industrial or financial interests of such domestic person."

1970—Subsec. (d). Pub. L. 91–375 substituted "file with the United States Postal Service information in compliance with section 3611 of title 39" for "file with the Postmaster General a sworn statement in compliance with section 2 of the Act of August 24, 1912 (37 Stat. 553), as amended".

1966—Subsec. (b). Pub. L. 89–486, §1(1), redesignated former pars. (3) and (4) as (2) and (3), substituted in such par. (3) "combination of persons" for "combination of individuals" and struck out from definition of "foreign principal" former pars. (2), (5), and (6) which included "(2) an individual affiliated or associated with, or supervised, directed, controlled, financed, or subsidized, in whole or in part, by any foreign principal defined in clause (1) of this subsection"; "(5) a domestic partnership, association, corporation, organization, or other combination of individuals, subsidized directly or indirectly, in whole or in part, by any foreign principal defined in clause (1), (3), or (4) of this subsection"; and "(6) a domestic partnership, association, corporation, or other combination of individuals, supervised, directed, controlled, or financed, in whole or in substantial part, by any foreign government or foreign political party".

Subsec. (c). Pub. L. 89–486, §1(2), amended provisions generally to redefine "agent of a foreign principal" by specifying four categories of activities creating the agency relationship where person acts as agent, employee, representative, or servant or at the order of, or under the control of, a foreign principal, by requiring a showing not only of foreign connections but also of certain activities performed by the agent for foreign interests, by making change as it relates to problem of indirect control exerted by foreign principals over their agents, by including political activities and actions as political consultant, by excluding attorneys from the relationship, by incorporating provisions of former par. (3) in par. (2) where a person assumes or purports to act as an agent of a foreign principal, and by eliminating the separate category for military or governmental officials contained in former par. (4).

Subsec. (d). Pub. L. 89–486, §1(3), struck out "clause (1), (2), or (4) of" before "subsection (b)".

Subsec. (g). Pub. L. 89–486, §1(4), inserted "public relations" before "matter pertaining to" and "of such principal" after "or relations".

Subsecs. (o) to (q). Pub. L. 89–486, §1(5), added subsecs. (o) to (q).

1961—Subsec. (b)(6). Pub. L. 87–366 added par. (6).

1956—Subsec. (c)(5). Act Aug. 1, 1956, repealed par. (5) which included within definition of "agent of a foreign principal" any person trained in foreign espionage systems with certain exceptions. See sections 851 and 852 of Title 50, War and National Defense.

1950—Subsec. (c)(5). Act Sept. 23, 1950, added par. (5).

1942—Act Apr. 29, 1942, amended section generally to redefine terms used in this subchapter.

1939—Act Aug. 7, 1939, amended section generally to redefine terms used in this subchapter.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104–65 effective Jan. 1, 1996, except as otherwise provided, see section 24 of Pub. L. 104–65, set out as an Effective Date note under section 1601 of Title 2, The Congress.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91–375 effective within 1 year after Aug. 12, 1970, on date established therefor by Board of Governors of United States Postal Service and published by it in Federal Register, see section 15(a) of Pub. L. 91–375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

EFFECTIVE DATE OF 1966 AMENDMENT

Section 9 of Pub. L. 89–486 provided that: "This Act [enacting sections 219 and 613 of Title 18, Crimes and Criminal Procedure, and amending this section and sections 612 to 616 and 618 of this title] shall take effect ninety days after the date of its enactment [July 4, 1966]."

EFFECTIVE DATE OF 1942 AMENDMENT

Section 3 of act Apr. 29, 1942, provided that: "This Act [amending this subchapter] shall take effect on the sixtieth day after the date of its approval, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out the provisions of this Act [amending this subchapter]."

EFFECTIVE DATE

Section 7 of act June 8, 1938, provided that: "This Act [enacting this subchapter] shall take effect on the ninetieth day after the date of its enactment [June 8, 1938]."

SHORT TITLE

Section 14 of act June 8, 1938, as added by act Apr. 29, 1942, §1, provided that: "This Act [enacting this subchapter] may be cited as the 'Foreign Agents Registration Act of 1938, as amended'."

SEPARABILITY; EFFECT ON EXISTING LAW

Sections 12 and 13 of act June 8, 1938, as added by act Apr. 29, 1942, §1, provided that:

"SEC. 12. If any provision of this Act [enacting this subchapter], or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

"SEC. 13. This Act [enacting this subchapter] is an addition to and not in substitution for any other existing statute."

TRANSFER OF FUNCTIONS

Section 2 of act Apr. 29, 1942, provided that: "Upon the effective date of this Act [see Effective Date of 1942 Amendment note above], all powers, duties, and functions of the Secretary of State under the Act of June 8, 1938 (52 Stat. 631), as amended [this subchapter], shall

be transferred to and become vested in the Attorney General, together with all property, books, records, and unexpended balances of appropriations used by or available to the Secretary of State for carrying out the functions devolving on him under the above-cited Act. All rules, regulations, and forms which have been issued by the Secretary of State pursuant to the provisions of said Act, and which are in effect, shall continue in effect until modified, superseded, revoked, or repealed."

POLICY AND PURPOSE OF SUBCHAPTER

Act Apr. 29, 1942, amending generally act June 8, 1938, added an opening paragraph preceding section 1 of the latter act and reading as follows: "It is hereby declared to be the policy and purpose of this Act [enacting this subchapter] to protect the national defense, internal security, and foreign relations of the United States by requiring public disclosure by persons engaging in propaganda activities and other activities for or on behalf of foreign governments, foreign political parties, and other foreign principals so that the Government and the people of the United States may be informed of the identity of such persons and may appraise their statements and actions in the light of their associations and activities."

**§612. Registration statement**

**(a) Filing; contents**

No person shall act as an agent of a foreign principal unless he has filed with the Attorney General a true and complete registration statement and supplements thereto as required by subsections (a) and (b) of this section or unless he is exempt from registration under the provisions of this subchapter. Except as hereinafter provided, every person who becomes an agent of a foreign principal shall, within ten days thereafter, file with the Attorney General, in duplicate, a registration statement, under oath on a form prescribed by the Attorney General. The obligation of an agent of a foreign principal to file a registration statement shall, after the tenth day of his becoming such agent, continue from day to day, and termination of such status shall not relieve such agent from his obligation to file a registration statement for the period during which he was an agent of a foreign principal. The registration statement shall include the following, which shall be regarded as material for the purposes of this subchapter:

(1) Registrant's name, principal business address, and all other business addresses in the United States or elsewhere, and all residence addresses, if any;

(2) Status of the registrant; if an individual, nationality; if a partnership, name, residence addresses, and nationality of each partner and a true and complete copy of its articles of copartnership; if an association, corporation, organization, or any other combination of individuals, the name, residence addresses, and nationality of each director and officer and of each person performing the functions of a director or officer and a true and complete copy of its charter, articles of incorporation, association, constitution, and bylaws, and amendments thereto; a copy of every other instrument or document and a statement of the terms and conditions of every oral agreement relating to its organization, powers, and purposes; and a statement of its ownership and control;

(3) A comprehensive statement of the nature of registrant's business; a complete list of registrant's employees and a statement of the nature of the work of each; the name and address of every foreign principal for whom the registrant is acting, assuming or purporting to act or has agreed to act; the character of the business or other activities of every such foreign principal, and, if any such foreign principal be other than a natural person, a statement of the ownership and control of each; and the extent, if any, to which each such foreign principal is supervised, directed, owned, controlled, financed, or subsidized, in whole or in part, by any government of a foreign country or foreign political party, or by any other foreign principal;

(4) Copies of each written agreement and the terms and conditions of each oral agreement, including all modifications of such agreements, or, where no contract exists, a full statement of all the circumstances, by reason of which the registrant is an agent of a foreign principal; a comprehensive statement of the nature and method of performance of each such contract, and of the existing and proposed activity or activities engaged in or to be engaged in by the registrant as agent of a foreign principal for each such foreign principal, including a detailed statement of any such activity which is a political activity;

(5) The nature and amount of contributions, income, money, or thing of value, if any, that the registrant has received within the preceding sixty days from each such foreign principal, either as compensation or for disbursement or otherwise, and the form and time of each such payment and from whom received;

(6) A detailed statement of every activity which the registrant is performing or is assuming or purporting or has agreed to perform for himself or any other person other than a foreign principal and which requires his registration hereunder, including a detailed statement of any such activity which is a political activity;

(7) The name, business, and residence addresses, and if an individual, the nationality, of any person other than a foreign principal for whom the registrant is acting, assuming or purporting to act or has agreed to act under such circumstances as require his registration hereunder; the extent to which each such person is supervised, directed, owned, controlled, financed, or subsidized, in whole or in part, by any government of a foreign country or foreign political party or by any other foreign principal; and the nature and amount of contributions, income, money, or thing of value, if any, that the registrant has received during the preceding sixty days from each such person in connection with any of the activities referred to in clause (6) of this subsection, either as compensation or for disbursement or otherwise, and the form and time of each such payment and from whom received;

(8) A detailed statement of the money and other things of value spent or disposed of by the registrant during the preceding sixty days in furtherance of or in connection with activities which require his registration hereunder

and which have been undertaken by him either as an agent of a foreign principal or for himself or any other person or in conection[1] with any activities relating to his becoming an agent of such principal, and a detailed statement of any contributions of money or other things of value made by him during the preceding sixty days (other than contributions the making of which is prohibited under the terms of section 613[2] of title 18) in connection with an election to any political office or in connection with any primary election, convention, or caucus held to select candidates for any political office;

(9) Copies of each written agreement and the terms and conditions of each oral agreement, including all modifications of such agreements, or, where no contract exists, a full statement of all the circumstances, by reason of which the registrant is performing or assuming or purporting or has agreed to perform for himself or for a foreign principal or for any person other than a foreign principal any activities which require his registration hereunder;

(10) Such other statements, information, or documents pertinent to the purposes of this subchapter as the Attorney General, having due regard for the national security and the public interest, may from time to time require;

(11) Such further statements and such further copies of documents as are necessary to make the statements made in the registration statement and supplements thereto, and the copies of documents furnished therewith, not misleading.

**(b) Supplements; filing period**

Every agent of a foreign principal who has filed a registration statement required by subsection (a) of this section shall, within thirty days after the expiration of each period of six months succeeding such filing, file with the Attorney General a supplement thereto under oath, on a form prescribed by the Attorney General, which shall set forth with respect to such preceding six months' period such facts as the Attorney General, having due regard for the national security and the public interest, may deem necessary to make the information required under this section accurate, complete, and current with respect to such period. In connection with the information furnished under clauses (3), (4), (6), and (9) of subsection (a) of this section, the registrant shall give notice to the Attorney General of any changes therein within ten days after such changes occur. If the Attorney General, having due regard for the national security and the public interest, determines that it is necessary to carry out the purposes of this subchapter, he may, in any particular case, require supplements to the registration statement to be filed at more frequent intervals in respect to all or particular items of information to be furnished.

**(c) Execution of statement under oath**

The registration statement and supplements thereto shall be executed under oath as follows: If the registrant is an individual, by him; if the registrant is a partnership, by the majority of the members thereof; if the registrant is a person other than an individual or a partnership, by a majority of the officers thereof or persons performing the functions of officers or by a majority of the board of directors thereof or persons performing the functions of directors, if any.

**(d) Filing of statement not deemed full compliance nor as preclusion from prosecution**

The fact that a registration statement or supplement thereto has been filed shall not necessarily be deemed a full compliance with this subchapter and the regulations thereunder on the part of the registrant; nor shall it indicate that the Attorney General has in any way passed upon the merits of such registration statement or supplement thereto; nor shall it preclude prosecution, as provided for in this subchapter, for willful failure to file a registration statement or supplement thereto when due or for a willful false statement of a material fact therein or the willful omission of a material fact required to be stated therein or the willful omission of a material fact or copy of a material document necessary to make the statements made in a registration statement and supplements thereto, and the copies of documents furnished therewith, not misleading.

**(e) Incorporation of previous statement by reference**

If any agent of a foreign principal, required to register under the provisions of this subchapter, has previously thereto registered with the Attorney General under the provisions of section 2386 of title 18, the Attorney General, in order to eliminate inappropriate duplication, may permit the incorporation by reference in the registration statement or supplements thereto filed hereunder of any information or documents previously filed by such agent of a foreign principal under the provisions of said section.

**(f) Exemption by Attorney General**

The Attorney General may, by regulation, provide for the exemption—

(1) from registration, or from the requirement of furnishing any of the information required by this section, of any person who is listed as a partner, officer, director, or employee in the registration statement filed by an agent of a foreign principal under this subchapter, and

(2) from the requirement of furnishing any of the information required by this section of any agent of a foreign principal.

where by reason of the nature of the functions or activities of such person the Attorney General, having due regard for the national security and the public interest, determines that such registration, or the furnishing of such information, as the case may be, is not necessary to carry out the purposes of this subchapter.

**(g) Electronic filing of registration statements and supplements**

A registration statement or supplement required to be filed under this section shall be filed in electronic form, in addition to any other form that may be required by the Attorney General.

[1] So in original. Probably should be "connection".

[2] See References in Text note below.

(June 8, 1938, ch. 327, §2, 52 Stat. 632; Apr. 29, 1942, ch. 263, §1, 56 Stat. 251; Aug. 3, 1950, ch. 524, §1, 64 Stat. 399; Pub. L. 89–486, §2, July 4, 1966, 80 Stat. 245; Pub. L. 110–81, title II, §212(a), Sept. 14, 2007, 121 Stat. 749.)

REFERENCES IN TEXT

Section 613 of title 18, referred to in subsec. (a)(8), was repealed by Pub. L. 94–283, title II, §201(a), May 11, 1976, 90 Stat. 496.

CODIFICATION

In subsec. (e), "section 2386 of title 18" was in the original "the Act of October 17, 1940 (54 Stat. 1201)", which had been classified to sections 14 to 17 of title 18. "Section 2386 of title 18" substituted for "sections 14 to 17 of title 18" on authority of act June 25, 1948, ch. 645, 62 Stat. 863, section 1 of which enacted Title 18, Crimes and Criminal Procedure.

PRIOR PROVISIONS

Provisions on this subject were contained in sections 612 and 613 of this title prior to general amendment of act June 8, 1938, by act Apr. 29, 1942.

AMENDMENTS

2007—Subsec. (g). Pub. L. 110–81 added subsec. (g).

1966—Subsec. (a). Pub. L. 89–486, §2(1), struck out requirement for transmittal of registration statements by the Attorney General to the Secretary of State and provision declaring a failure of transmission not to be a bar to prosecutions, now covered in section 616(b) of this title.

Subsec. (a)(3). Pub. L. 89–486, §2(2), struck out ", unless, and to the extent, this requirement is waived in writing by the Attorney General" after "statement of the nature of the work of each" and provided for a statement of the extent to which a foreign principal is supervised, directed, etc., by any other foreign principal.

Subsec. (a)(4), (6). Pub. L. 89–486, §2(3), (4), inserted ", including a detailed statement of any such activity which is a political activity".

Subsec. (a)(7). Pub. L. 89–486, §2(5), required certain information pertaining to control and financial arrangements with respect to those persons, not themselves foreign principals, who are so related to a foreign principal that their agents when engaged in political activities in the interests of the principal are required to register.

Subsec. (a)(8). Pub. L. 89–486, §2(6), inserted requirement that agent report the money or other things of value spent or disposed of in connection with his becoming the agent of his foreign principal and all political contributions made during the preceding sixty days, other than contributions made on behalf of their principals, such contributions being prohibited under section 613 of title 18.

Subsec. (f). Pub. L. 89–486, §2(7), added subsec. (f).

1950—Subsec. (a). Act Aug. 3, 1950, made failure to register a continuing offense.

1942—Act Apr. 29, 1942, amended section generally.

EFFECTIVE DATE OF 2007 AMENDMENT

Pub. L. 110–81, title II, §212(c), Sept. 14, 2007, 121 Stat. 750, provided that: "The amendments made by this section [amending this section and section 616 of this title] shall take effect on the 90th day after the date of the enactment of this Act [Sept. 14, 2007]."

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89–486 effective ninety days after July 4, 1966, see section 9 of Pub. L. 89–486, set out as a note under section 611 of this title.

EFFECTIVE DATE OF 1942 AMENDMENT

Amendment by act Apr. 29, 1942, effective on the sixtieth day after Apr. 29, 1942, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out act Apr. 29, 1942, see section 3 of act Apr. 29, 1942, set out as a note under section 611 of this title.

FEES FOR NECESSARY EXPENSES OF REGISTRATION UNIT

Pub. L. 102–395, title I, Oct. 6, 1992, 106 Stat. 1831, provided in part that: "In addition, notwithstanding 31 U.S.C. 3302, for fiscal year 1993 and thereafter, the Attorney General shall establish and collect fees to recover necessary expenses of the Registration Unit (to include salaries, supplies, equipment and training) pursuant to the Foreign Agents Registration Act [probably means Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611 et seq.], and shall credit such fees to this appropriation, to remain available until expended."

## § 613. Exemptions

The requirements of section 612(a) of this title shall not apply to the following agents of foreign principals:

**(a) Diplomatic or consular officers**

A duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State, while said officer is engaged exclusively in activities which are recognized by the Department of State as being within the scope of the functions of such officer;

**(b) Officials of foreign government**

Any official of a foreign government, if such government is recognized by the United States, who is not a public-relations counsel, publicity agent, information-service employee, or a citizen of the United States, whose name and status and the character of whose duties as such official are of public record in the Department of State, while said official is engaged exclusively in activities which are recognized by the Department of State as being within the scope of the functions of such official;

**(c) Staff members of diplomatic or consular officers**

Any member of the staff of, or any person employed by, a duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State, other than a public-relations counsel, publicity agent, or information-service employee, whose name and status and the character of whose duties as such member or employee are of public record in the Department of State, while said member or employee is engaged exclusively in the performance of activities which are recognized by the Department of State as being within the scope of the functions of such member or employee;

**(d) Private and nonpolitical activities; solicitation of funds**

Any person engaging or agreeing to engage only (1) in private and nonpolitical activities in furtherance of the bona fide trade or commerce of such foreign principal; or (2) in other activities not serving predominantly a foreign interest; or (3) in the soliciting or collecting of funds and contributions within the United States to be used only for medical aid and assistance, or for food and clothing to relieve human suffering, if such solicitation or collection of funds and contributions is in accordance with and subject to

the provisions of subchapter II of chapter 9 of this title, and such rules and regulations as may be prescribed thereunder;

**(e) Religious, scholastic, or scientific pursuits**

Any person engaging or agreeing to engage only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or of the fine arts;

**(f) Defense of foreign government vital to United States defense**

Any person, or employee of such person, whose foreign principal is a government of a foreign country the defense of which the President deems vital to the defense of the United States while, (1) such person or employee engages only in activities which are in furtherance of the policies, public interest, or national defense both of such government and of the Government of the United States, and are not intended to conflict with any of the domestic or foreign policies of the Government of the United States, (2) each communication or expression by such person or employee which he intends to, or has reason to believe will, be published, disseminated, or circulated among any section of the public, or portion thereof, within the United States, is a part of such activities and is believed by such person to be truthful and accurate and the identity of such person as an agent of such foreign principal is disclosed therein, and (3) such government of a foreign country furnishes to the Secretary of State for transmittal to, and retention for the duration of this subchapter by, the Attorney General such information as to the identity and activities of such person or employee at such times as the Attorney General may require. Upon notice to the Government of which such person is an agent or to such person or employee, the Attorney General, having due regard for the public interest and national defense, may, with the approval of the Secretary of State, and shall, at the request of the Secretary of State, terminate in whole or in part the exemption herein of any such person or employee;

**(g) Persons qualified to practice law**

Any person qualified to practice law, insofar as he engages or agrees to engage in the legal representation of a disclosed foreign principal before any court of law or any agency of the Government of the United States: *Provided*, That for the purposes of this subsection legal representation does not include attempts to influence or persuade agency personnel or officials other than in the course of judicial proceedings, criminal or civil law enforcement inquiries, investigations, or proceedings, or agency proceedings required by statute or regulation to be conducted on the record.

**(h) Agents of foreign principals**

Any agent of a person described in section 611(b)(2) of this title or an entity described in section 611(b)(3) of this title 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.] in connection with the agent's representation of such person or entity.

(June 8, 1938, ch. 327, §3, 52 Stat. 632; Aug. 7, 1939, ch. 521, §2, 53 Stat. 1245; Apr. 29, 1942, ch. 263, §1, 56 Stat. 254; Pub. L. 87–366, §2, Oct. 4, 1961, 75 Stat. 784; Pub. L. 89–486, §3, July 4, 1966, 80 Stat. 246; Pub. L. 104–65, §9(2), (3), Dec. 19, 1995, 109 Stat. 700; Pub. L. 105–166, §5, Apr. 6, 1998, 112 Stat. 39.)

REFERENCES IN TEXT

The Lobbying Disclosure Act of 1995, referred to in subsec. (h), is Pub. L. 104–65, Dec. 19, 1995, 109 Stat. 691, which is classified principally to chapter 26 (§1601 et seq.) of Title 2, The Congress. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 2 and Tables.

PRIOR PROVISIONS

Prior to general amendment of act June 8, 1938, by act Apr. 29, 1942, section related to additional registration statements after each six months period. Provisions on that subject were incorporated in section 612 of this title by 1942 amendment.

AMENDMENTS

1998—Subsec. (h). Pub. L. 105–166 substituted "has engaged in lobbying activities and has registered" for "is required to register and does register".

1995—Subsec. (g). Pub. L. 104–65, §9(2), substituted "judicial proceedings, criminal or civil law enforcement inquiries, investigations, or proceedings, or agency proceedings required by statute or regulation to be conducted on the record" for "established agency proceedings, whether formal or informal".

Subsec. (h). Pub. L. 104–65, §9(3), added subsec. (h).

1966—Subsec. (d). Pub. L. 89–486, §3(a), designated existing provisions as cls. (1) and (3), struck out "financial or mercantile" before "activities" in cl. (1), and inserted the cl. (2) exemption of any person engaging or agreeing to engage in other activities not serving predominantly a foreign interest.

Subsec. (g). Pub. L. 89–486, §3(b), added subsec. (g).

1961—Subsec. (d). Pub. L. 87–366 substituted "private and nonpolitical financial or mercantile activities in furtherance" for "private, non-political, financial, mercantile, or other activities in furtherance".

1942—Act Apr. 29, 1942, amended section generally.

1939—Act Aug. 7, 1939, amended section generally.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104–65 effective Jan. 1, 1996, except as otherwise provided, see section 24 of Pub. L. 104–65, set out as an Effective Date note under section 1601 of Title 2, The Congress.

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89–486 effective ninety days after July 4, 1966, see section 9 of Pub. L. 89–486, set out as a note under section 611 of this title.

EFFECTIVE DATE OF 1942 AMENDMENT

Amendment by act Apr. 29, 1942, effective on the sixtieth day after Apr. 29, 1942, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out act Apr. 29, 1942, see section 3 of act Apr. 29, 1942, set out as a note under section 611 of this title.

## §614. Filing and labeling of political propaganda

**(a) Copies to Attorney General; statement as to places, times, and extent of transmission**

Every person within the United States who is an agent of a foreign principal and required to register under the provisions of this subchapter and who transmits or causes to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce any informational materials for or in the

interests of such foreign principal (i) in the form of prints, or (ii) in any other form which is reasonably adapted to being, or which he believes will be, or which he intends to be, disseminated or circulated among two or more persons shall, not later than forty-eight hours after the beginning of the transmittal thereof, file with the Attorney General two copies thereof.

**(b) Identification statement**

It shall be unlawful for any person within the United States who is an agent of a foreign principal and required to register under the provisions of this subchapter to transmit or cause to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce any informational materials for or in the interests of such foreign principal without placing in such informational materials a conspicuous statement that the materials are distributed by the agent on behalf of the foreign principal, and that additional information is on file with the Department of Justice, Washington, District of Columbia. The Attorney General may by rule define what constitutes a conspicuous statement for the purposes of this subsection.

**(c) Public inspection**

The copies of informational materials required by this subchapter to be filed with the Attorney General shall be available for public inspection under such regulations as he may prescribe.

**(d) Library of Congress**

For purposes of the Library of Congress, other than for public distribution, the Secretary of the Treasury and the United States Postal Service are authorized, upon the request of the Librarian of Congress, to forward to the Library of Congress fifty copies, or as many fewer thereof as are available, of all foreign prints determined to be prohibited entry under the provisions of section 1305 of title 19 and of all foreign prints excluded from the mails under authority of section 1717 of title 18.

Notwithstanding the provisions of section 1305 of title 19 and of section 1717 of title 18, the Secretary of the Treasury is authorized to permit the entry and the United States Postal Service is authorized to permit the transmittal in the mails of foreign prints imported for governmental purposes by authority or for the use of the United States or for the use of the Library of Congress.

**(e) Information furnished to agency or official of United States Government**

It shall be unlawful for any person within the United States who is an agent of a foreign principal required to register under the provisions of this subchapter to transmit, convey, or otherwise furnish to any agency or official of the Government (including a Member or committee of either House of Congress) for or in the interests of such foreign principal any political propaganda or to request from any such agency or official for or in the interests of such foreign principal any information or advice with respect to any matter pertaining to the political or public interests, policies or relations of a foreign country or of a political party or pertaining to the foreign or domestic policies of the United States unless the propaganda or the request is prefaced or accompanied by a true and accurate statement to the effect that such person is registered as an agent of such foreign principal under this subchapter.

**(f) Appearances before Congressional committees**

Whenever any agent of a foreign principal required to register under this subchapter appears before any committee of Congress to testify for or in the interests of such foreign principal, he shall, at the time of such appearance, furnish the committee with a copy of his most recent registration statement filed with the Department of Justice as an agent of such foreign principal for inclusion in the records of the committee as part of his testimony.

(June 8, 1938, ch. 327, §4, 52 Stat. 632; Aug. 7, 1939, ch. 521, §3, 53 Stat. 1246; Apr. 29, 1942, ch. 263, §1, 56 Stat. 255; Pub. L. 89–486, §4, July 4, 1966, 80 Stat. 246; Pub. L. 91–375, §4(a), Aug. 12, 1970, 84 Stat. 773; Pub. L. 104–65, §9(4)–(6), Dec. 19, 1995, 109 Stat. 700.)

CODIFICATION

Section 1717 of title 18, referred to in subsec. (d), was in the original "section 1 of title XII of the Act of June 15, 1917 (40 Stat. 230)" which was classified to section 343 of former Title 18, Criminal Code and Criminal Procedure. "Section 1717 of title 18" substituted for "section 343 of title 18" on authority of act June 25, 1948, ch. 645, 62 Stat. 683, section 1 of which enacted Title 18, Crimes and Criminal Procedure.

PRIOR PROVISIONS

Prior to general amendment of act June 8, 1938, by act Apr. 29, 1942, section related to retention of statements as public records. Provisions on that subject were incorporated in section 616 of this title by 1942 amendment.

AMENDMENTS

1995—Subsec. (a). Pub. L. 104–65, §9(4)(B), which directed striking out "and a statement, duly signed by or on behalf of such an agent, setting forth full information as to the places, times, and extent of such transmittal" after "Attorney General two copies thereof", was executed by striking out such language, which read in part "on behalf of such agent", to reflect the probable intent of Congress.

Pub. L. 104–65, §9(4)(A), substituted "informational materials" for "political propaganda".

Subsec. (b). Pub. L. 104–65, §9(5), substituted "informational materials for or" for "political propaganda for or" and substituted "without placing in such informational materials a conspicuous statement that the materials are distributed by the agent on behalf of the foreign principal, and that additional information is on file with the Department of Justice, Washington, District of Columbia. The Attorney General may by rule define what constitutes a conspicuous statement for the purposes of this subsection." for cls. (i) and (ii) and concluding provisions which made it unlawful for an agent of a foreign principal to transmit in the United States political propaganda unless the propaganda identified the agent and contained information about the registration of the agent and authorized the Attorney General to prescribe regulations relating to the information to be provided.

Subsec. (c). Pub. L. 104–65, §9(6), substituted "informational materials" for "political propaganda".

1966—Subsec. (a). Pub. L. 89–486, §4(1), inserted "for or in the interests of such foreign principal" after "political propaganda" and substituted "file with the Attor-

ney General two copies thereof" for "sent to the Librarian of Congress two copies thereof and file with the Attorney General one copy thereof".

Subsec. (b). Pub. L. 89–486, § 4(2), inserted "for or in the interests of such foreign principal" after "political propaganda", where first appearing, and "the relationship or connection between the person transmitting the political propaganda or causing it to be transmitted and such propaganda;" after "setting forth" and substituted "such foreign principal" for each of his foreign principals".

Subsec. (c). Pub. L. 89–486, § 4(3), substituted "filed with the Attorney General" for "sent to the Librarian of Congress".

Subsecs. (e), (f). Pub. L. 89–486, § 4(4), added subsecs. (e) and (f).

1942—Act Apr. 29, 1942, amended section generally.

1939—Act Aug. 7, 1939, amended section generally.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104–65 effective Jan. 1, 1996, except as otherwise provided, see section 24 of Pub. L. 104–65, set out as an Effective Date note under section 1601 of Title 2, The Congress.

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89–486 effective ninety days after July 4, 1966, see section 9 of Pub. L. 89–486, set out as a note under section 611 of this title.

EFFECTIVE DATE OF 1942 AMENDMENT

Amendment by act Apr. 29, 1942, effective on the sixtieth day after Apr. 29, 1942, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out act Apr. 29, 1942, see section 3 of act Apr. 29, 1942, set out as a note under section 611 of this title.

TRANSFER OF FUNCTIONS

In subsec. (d), "United States Postal Service" substituted for "Postmaster General" in two places pursuant to Pub. L. 91–375, § 4(a), Aug. 12, 1970, 84 Stat. 773, set out as a note under section 201 of Title 39, Postal Service, which abolished office of Postmaster General of Post Office Department and transferred its functions to United States Postal Service.

## § 615. Books and records

Every agent of a foreign principal registered under this subchapter shall keep and preserve while he is an agent of a foreign principal such books of account and other records with respect to all his activities, the disclosure of which is required under the provisions of this subchapter, in accordance with such business and accounting practices, as the Attorney General, having due regard for the national security and the public interest, may by regulation prescribe as necessary or appropriate for the enforcement of the provisions of this subchapter and shall preserve the same for a period of three years following the termination of such status. Until regulations are in effect under this section every agent of a foreign principal shall keep books of account and shall preserve all written records with respect to his activities. Such books and records shall be open at all reasonable times to the inspection of any official charged with the enforcement of this subchapter. It shall be unlawful for any person willfully to conceal, destroy, obliterate, mutilate, or falsify, or to attempt to conceal, destroy, obliterate, mutilate, or falsify, or to cause to be concealed, destroyed, obliterated, mutilated, or falsified, any books or records required to be kept under the provisions of this section.

(June 8, 1938, ch. 327, § 5, 52 Stat. 633; Apr. 29, 1942, ch. 263, § 1, 56 Stat. 256; Pub. L. 89–486, § 5, July 4, 1966, 80 Stat. 247.)

PRIOR PROVISIONS

Prior to general amendment of act June 8, 1938, by act Apr. 29, 1942, section related to penalties. Provisions on that subject were incorporated in section 618 of this title by 1942 amendment.

AMENDMENTS

1966—Pub. L. 89–486 inserted "in accordance with such business and accounting practices," after "under the provisions of this subchapter,".

1942—Act Apr. 29, 1942, amended section generally.

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89–486 effective ninety days after July 4, 1966, see section 9 of Pub. L. 89–486, set out as a note under section 611 of this title.

EFFECTIVE DATE OF 1942 AMENDMENT

Amendment by act Apr. 29, 1942, effective on the sixtieth day after Apr. 29, 1942, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out act Apr. 29, 1942, see section 3 of act Apr. 29, 1942, set out as a note under section 611 of this title.

## § 616. Public examination of official records; transmittal of records and information

### (a) Permanent copy of statement; inspection; withdrawal

The Attorney General shall retain in permanent form one copy of all registration statements furnished under this subchapter, and the same shall be public records and open to public examination and inspection at such reasonable hours, under such regulations, as the Attorney General may prescribe, and copies of the same shall be furnished to every applicant at such reasonable fee as the Attorney General may prescribe. The Attorney General may withdraw from public examination the registration statement and other statements of any agent of a foreign principal whose activities have ceased to be of a character which requires registration under the provisions of this subchapter.

### (b) Secretary of State

The Attorney General shall, promptly upon receipt, transmit one copy of every registration statement filed hereunder and one copy of every amendment or supplement thereto filed hereunder, to the Secretary of State for such comment and use as the Secretary of State may determine to be appropriate from the point of view of the foreign relations of the United States. Failure of the Attorney General so to transmit such copy shall not be a bar to prosecution under this subchapter.

### (c) Executive departments and agencies; Congressional committees

The Attorney General is authorized to furnish to departments and agencies in the executive branch and committees of the Congress such information obtained by him in the administration of this subchapter, including the names of registrants under this subchapter, copies of reg-

istration statements, or parts thereof, or other documents or information filed under this subchapter, as may be appropriate in the light of the purposes of this subchapter.

**(d) Public database of registration statements and updates**

**(1) In general**

The Attorney General shall maintain, and make available to the public over the Internet, without a fee or other access charge, in a searchable, sortable, and downloadable manner, to the extent technically practicable, an electronic database that—

(A) includes the information contained in registration statements and updates filed under this subchapter; and

(B) is searchable and sortable, at a minimum, by each of the categories of information described in section 612(a) of this title.

**(2) Accountability**

The Attorney General shall make each registration statement and update filed in electronic form pursuant to section 612(g) of this title available for public inspection over the Internet as soon as technically practicable after the registration statement or update is filed.

(June 8, 1938, ch. 327, §6, 52 Stat. 633; Apr. 29, 1942, ch. 263, §1, 56 Stat. 256; Pub. L. 89–486, §6, July 4, 1966, 80 Stat. 247; Pub. L. 104–65, §9(7), Dec. 19, 1995, 109 Stat. 700; Pub. L. 110–81, title II, §212(b), Sept. 14, 2007, 121 Stat. 749.)

PRIOR PROVISIONS

Prior to general amendment of act June 8, 1938, by act Apr. 29, 1942, section related to rules and regulations. Provisions on that subject were incorporated in section 620 of this title by 1942 amendment.

Provisions on this subject were contained in section 614 of this title prior to general amendment of act June 8, 1938, by act Apr. 29, 1942.

AMENDMENTS

2007—Subsec. (d). Pub. L. 110–81 added subsec. (d).

1995—Subsec. (a). Pub. L. 104–65, §9(7)(A), struck out "and all statements concerning the distribution of political propaganda" after "all registration statements".

Subsec. (b). Pub. L. 104–65, §9(7)(B), struck out ", and one copy of every item of political propaganda" after "supplement thereto".

Subsec. (c). Pub. L. 104–65, §9(7)(C), struck out "copies of political propaganda," after "parts thereof,".

1966—Pub. L. 89–486 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

1942—Act Apr. 29, 1942, amended section generally.

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110–81 effective on the 90th day after Sept. 14, 2007, see section 212(c) of Pub. L. 110–81, set out as a note under section 612 of this title.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104–65 effective Jan. 1, 1996, except as otherwise provided, see section 24 of Pub. L. 104–65, set out as an Effective Date note under section 1601 of Title 2, The Congress.

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89–486 effective ninety days after July 4, 1966, see section 9 of Pub. L. 89–486, set out as a note under section 611 of this title.

EFFECTIVE DATE OF 1942 AMENDMENT

Amendment by act Apr. 29, 1942, effective on the sixtieth day after Apr. 29, 1942, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out act Apr. 29, 1942, see section 3 of act Apr. 29, 1942, set out as a note under section 611 of this title.

## §617. Liability of officers

Each officer, or person performing the functions of an officer, and each director, or person performing the functions of a director, of an agent of a foreign principal which is not an individual shall be under obligation to cause such agent to execute and file a registration statement and supplements thereto as and when such filing is required under subsections (a) and (b) of section 612 of this title and shall also be under obligation to cause such agent to comply with all the requirements of sections 614(a) and (b) and 615 of this title and all other requirements of this subchapter. Dissolution of any organization acting as an agent of a foreign principal shall not relieve any officer, or person performing the functions of an officer, or any director, or person performing the functions of a director, from complying with the provisions of this section. In case of failure of any such agent of a foreign principal to comply with any of the requirements of this subchapter, each of its officers, or persons performing the functions of officers, and each of its directors, or persons performing the functions of directors, shall be subject to prosecution therefor.

(June 8, 1938, ch. 327, §7, 52 Stat. 633; Apr. 29, 1942, ch. 263, §1, 56 Stat. 256; Aug. 3, 1950, ch. 524, §2, 64 Stat. 400.)

PRIOR PROVISIONS

Section 7 of act June 8, 1938, prior to the general amendment of that act by act Apr. 29, 1942, provided for the effective date of the 1938 act. See Effective Date note set out under section 611 of this title.

AMENDMENTS

1950—Act Aug. 3, 1950, continued the obligation of officers, directors, and persons acting as such to comply with this subchapter despite the dissolution of a foreign agent.

1942—Act Apr. 29, 1942, amended section generally.

EFFECTIVE DATE OF 1942 AMENDMENT

Amendment by act Apr. 29, 1942, effective on the sixtieth day after Apr. 29, 1942, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out act Apr. 29, 1942, see section 3 of act Apr. 29, 1942, set out as a note under section 611 of this title.

## §618. Enforcement and penalties

**(a) Violations; false statements and willful omissions**

Any person who—

(1) willfully violates any provision of this subchapter or any regulation thereunder, or

(2) in any registration statement or supplement thereto or in any other document filed with or furnished to the Attorney General under the provisions of this subchapter willfully makes a false statement of a material

fact or willfully omits any material fact required to be stated therein or willfully omits a material fact or a copy of a material document necessary to make the statements therein and the copies of documents furnished therewith not misleading, shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both, except that in the case of a violation of subsection (b), (e), or (f) of section 614 of this title or of subsection (g) or (h) of this section the punishment shall be a fine of not more than $5,000 or imprisonment for not more than six months, or both.

**(b) Proof of identity of foreign principal**

In any proceeding under this subchapter in which it is charged that a person is an agent of a foreign principal with respect to a foreign principal outside of the United States, proof of the specific identity of the foreign principal shall be permissible but not necessary.

**(c) Removal**

Any alien who shall be convicted of a violation of, or a conspiracy to violate, any provision of this subchapter or any regulation thereunder shall be subject to removal pursuant to chapter 4 of title II of the Immigration and Nationality Act [8 U.S.C. 1221 et seq.].

**(d) Repealed. Pub. L. 104–65, §9(8)(B), Dec. 19, 1995, 109 Stat. 700**

**(e) Continuing offense**

Failure to file any such registration statement or supplements thereto as is required by either section 612(a) or section 612(b) of this title shall be considered a continuing offense for as long as such failure exists, notwithstanding any statute of limitation or other statute to the contrary.

**(f) Injunctive remedy; jurisdiction of district court**

Whenever in the judgment of the Attorney General any person is engaged in or about to engage in any acts which constitute or will constitute a violation of any provision of this subchapter, or regulations issued thereunder, or whenever any agent of a foreign principal fails to comply with any of the provisions of this subchapter or the regulations issued thereunder, or otherwise is in violation of the subchapter, the Attorney General may make application to the appropriate United States district court for an order enjoining such acts or enjoining such person from continuing to act as an agent of such foreign principal, or for an order requiring compliance with any appropriate provision of the subchapter or regulation thereunder. The district court shall have jurisdiction and authority to issue a temporary or permanent injunction, restraining order or such other order which it may deem proper.

**(g) Deficient registration statement**

If the Attorney General determines that a registration statement does not comply with the requirements of this subchapter or the regulations issued thereunder, he shall so notify the registrant in writing, specifying in what respects the statement is deficient. It shall be unlawful for any person to act as an agent of a foreign principal at any time ten days or more after receipt of such notification without filing an amended registration statement in full compliance with the requirements of this subchapter and the regulations issued thereunder.

**(h) Contingent fee arrangement**

It shall be unlawful for any agent of a foreign principal required to register under this subchapter to be a party to any contract, agreement, or understanding, either express or implied, with such foreign principal pursuant to which the amount or payment of the compensation, fee, or other remuneration of such agent is contingent in whole or in part upon the success of any political activities carried on by such agent.

(June 8, 1938, ch. 327, §8, as added Apr. 29, 1942, ch. 263, §1, 56 Stat. 257; amended Sept. 23, 1950, ch. 1024, title I, §20(b), 64 Stat. 1005; June 27, 1952, ch. 477, title IV, §402(d), 66 Stat. 276; Aug. 1, 1956, ch. 849, §1, 70 Stat. 899; Pub. L. 89–486, §7, July 4, 1966, 80 Stat. 248; Pub. L. 98–620, title IV, §402(26), Nov. 8, 1984, 98 Stat. 3359; Pub. L. 104–65, §9(8), Dec. 19, 1995, 109 Stat. 700; Pub. L. 104–208, div. C, title III, §308(e)(19), Sept. 30, 1996, 110 Stat. 3009–621.)

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (c), is act June 27, 1952, ch. 477, 66 Stat. 163, as amended. Chapter 4 of title II of the Act is classified generally to part IV (§1221 et seq.) of subchapter II of chapter 12 of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

PRIOR PROVISIONS

Provisions on this subject were contained in section 615 of this title prior to general amendment of act June 8, 1938, by act Apr. 29, 1942.

AMENDMENTS

1996—Subsec. (c). Pub. L. 104–208 substituted "removal pursuant to chapter 4 of title II of the Immigration and Nationality Act" for "deportation in the manner provided by sections 1251 to 1253 of title 8".

1995—Subsec. (a)(2). Pub. L. 104–65, §9(8)(A), struck out "or in any statement under section 614(a) of this title concerning the distribution of political propaganda" after "or supplement thereto".

Subsec. (d). Pub. L. 104–65, §9(8)(B), struck out subsec. (d) which read as follows: "The United States Postal Service may declare to be nonmailable any communication or expression falling within clause (2) of section 611(j) of this title in the form of prints or in any other form reasonably adapted to, or reasonably appearing to be intended for, dissemination or circulation among two or more persons, which is offered or caused to be offered for transmittal in the United States mails to any person or persons in any other American republic by any agent of a foreign principal, if the United States Postal Service is informed in writing by the Secretary of State that the duly accredited diplomatic representative of such American republic has made written representation to the Department of State that the admission or circulation of such communication or expression in such American republic is prohibited by the laws thereof and has requested in writing that its transmittal thereto be stopped."

1984—Subsec. (f). Pub. L. 98–620 struck out provision that the proceedings shall be made a preferred cause and expedited in every way.

1966—Subsec. (a)(2). Pub. L. 89-486, §7(1), inserted exception provision.

Subsecs. (f) to (h). Pub. L. 89-486, §7(2), added subsecs. (f) to (h).

1956—Act Aug. 1, 1956, amended credit to section by redesignating section 20(b) of act Sept. 23, 1950, as section 20.

1952—Subsec. (c). Act June 27, 1952, substituted "sections 1251 to 1253 of title 8" for "sections 155 and 156 of title 8".

1950—Subsec. (e). Act Sept. 23, 1950, added subsec. (e).

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-208 effective, with certain transitional provisions, on the first day of the first month beginning more than 180 days after Sept. 30, 1996, see section 309 of Pub. L. 104-208, set out as a note under section 1101 of Title 8, Aliens and Nationality.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-65 effective Jan. 1, 1996, except as otherwise provided, see section 24 of Pub. L. 104-65, set out as an Effective Date note under section 1601 of Title 2, The Congress.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-620 not applicable to cases pending on Nov. 8, 1984, see section 403 of Pub. L. 98-620, set out as an Effective Date note under section 1657 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-486 effective ninety days after July 4, 1966, see section 9 of Pub. L. 89-486, set out as a note under section 611 of this title.

EFFECTIVE DATE

Section effective on the sixtieth day after Apr. 29, 1942, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out act Apr. 29, 1942, see section 3 of act Apr. 29, 1942, set out as an Effective Date of 1942 Amendment note under section 611 of this title.

### § 619. Territorial applicability of subchapter

This subchapter shall be applicable in the several States, the District of Columbia, the Territories, the Canal Zone, the insular possessions, and all other places now or hereafter subject to the civil or military jurisdiction of the United States.

(June 8, 1938, ch. 327, §9, as added Apr. 29, 1942, ch. 263, §1, 56 Stat. 257; amended Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352.)

REFERENCES IN TEXT

For definition of Canal Zone, referred to in text, see section 3602(b) of this title.

CODIFICATION

Words "including the Philippine Islands," omitted from section pursuant to Proc. No. 2695, which granted independence to the Philippine Islands under the authority of section 1394 of this title, under which section Proc. No. 2695 is set out as a note.

EFFECTIVE DATE

Section effective on the sixtieth day after Apr. 29, 1942, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out act Apr. 29, 1942, see section 3 of act Apr. 29, 1942, set out as an Effective Date of 1942 Amendment note under section 611 of this title.

### § 620. Rules and regulations

The Attorney General may at any time make, prescribe, amend, and rescind such rules, regulations, and forms as he may deem necessary to carry out the provisions of this subchapter.

(June 8, 1938, ch. 327, §10, as added Apr. 29, 1942, ch. 263, §1, 56 Stat. 257.)

PRIOR PROVISIONS

Provisions on this subject were contained in section 616 of this title prior to general amendment of act June 8, 1938, by act Apr. 29, 1942.

EFFECTIVE DATE

Section effective on the sixtieth day after Apr. 29, 1942, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out act Apr. 29, 1942, see section 3 of act Apr. 29, 1942, set out as an Effective Date of 1942 Amendment note under section 611 of this title.

### § 621. Reports to Congress

The Attorney General shall every six months report to the Congress concerning administration of this subchapter, including registrations filed pursuant to the subchapter, and the nature, sources and content of political propaganda disseminated and distributed.

(June 8, 1938, ch. 327, §11, as added Apr. 29, 1942, ch. 263, §1, 56 Stat. 258; amended Pub. L. 104-65, §19, Dec. 19, 1995, 109 Stat. 704.)

AMENDMENTS

1995—Pub. L. 104-65 added text and struck out former text which read as follows: "The Attorney General shall, from time to time, make a report to the Congress concerning the administration of this subchapter, including the nature, sources, and content of political propaganda disseminated or distributed."

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-65 effective Jan. 1, 1996, see section 24 of Pub. L. 104-65, set out as an Effective Date note under section 1601 of Title 2, The Congress.

EFFECTIVE DATE

Section effective on the sixtieth day after Apr. 29, 1942, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out act Apr. 29, 1942, see section 3 of act Apr. 29, 1942, set out as an Effective Date of 1942 Amendment note under section 611 of this title.

## CHAPTER 12—CLAIMS COMMISSIONS

### §§ 661 to 672. Omitted

CODIFICATION

Sections 661 to 672, which established the American Mexican Claims Commission in 1942 for the settlement of certain claims, expired pursuant to the provisions of section 661(d), which provided that the authority of the Commission shall terminate at the expiration of four years after the date on which a majority of its members first appointed took office.

Section 661, acts Dec. 18, 1942, ch. 766, §2, 56 Stat. 1058; Apr. 3, 1945, ch. 52, §5, 59 Stat. 50; Oct. 28, 1949, ch. 782, title XI, §1106(a), 63 Stat. 972, established American Mexican Claims Commission, prescribed its composition, provided for compensation of its members, and specified its termination date. Acts Dec. 18, 1942, ch. 766, §2, 56 Stat. 1058; Apr. 3, 1945, ch. 52, §5, 59 Stat. 50,