

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.)

Editorial Notes

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 Attor-

ney 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 Attorney 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.

Statutory Notes and Related Subsidiaries

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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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 registration 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.)

Editorial Notes

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.