

The Open Secret of Foreign Lobbying

Exclusive: Russia-gate has focused attention on requirements for U.S. citizens acting as “foreign agents” to register with the Justice Department, but these rules have been sporadically or selectively enforced for decades, Jonathan Marshall writes in the first of a series.

By Jonathan Marshall

The alleged hacking of the Hillary Clinton campaign’s emails and the numerous contacts of Donald Trump’s circle with Russian officials, oligarchs and mobsters have triggered any number of investigations into Moscow’s alleged efforts to influence the 2016 election and the new administration. With U.S.-Russian relations at their lowest point since the Cold War, however, it would be tough to argue that Moscow has achieved any leverage in Washington.

In contrast, as journalist Robert Parry recently noted, American politicians and the media have been notably silent about other examples of foreign interference in U.S. national politics. In part that’s because supporters of more successful foreign pressure groups have enough clout to downplay or deny their very existence. In part it’s also because America’s political system is so riddled with big money that jaded insiders rarely question the status quo of influence peddling by other nations.

That wasn’t the case a century ago. In the run-up to U.S. entry into World War I, millions of Americans became wildly alarmed by the potential influence of pro-German fifth columnists. The success of the Bolshevik revolution in 1917 shifted much of that paranoia toward the Soviet Union, prompting the infamous Red Scare.

Two decades later, Americans again became troubled by the growing influence of fascist and Communist propaganda in this country. In response, Congress in 1938 passed a law regulating “foreign agents” and requiring disclosure of their political and public relations activities and spending. Willful failure to register can be punished by up to five years in prison and a \$10,000 fine.

Since the end of World War II, however, enforcement of the Foreign Agents Registration Act has been notably lax. Its effectiveness has been stymied by political resistance from lobby supporters as well as by the law’s many loopholes – including Justice Department’s admission that FARA “does not authorize the government to inspect records of those not registered under the Act.”

A 2016 audit by the inspector general of the Department of Justice determined

that half of FARA registrations and 62 percent of initial registrations were filed late, and 15 percent of registrants simply stopped filing for periods of six months or more. It also determined that the Department of Justice brought only seven criminal cases under FARA from 1966 to 2015, and filed no civil injunctions since 1991.

“FARA is violated more or less daily in Washington and largely ignored by authorities unless it involves someone without political connections,” commented Matt Taibbi of *Rolling Stone*. “An awful lot of important people in Washington who appear to be making fortunes lobbying for foreign countries are merely engaged in ‘litigation support,’ if you ask them.”

In addition, foreign governments find it easy to circumvent the act by tactics such as investing in influential foreign policy think tanks like the Atlantic Council, Brookings Institution, and Center for Strategic and International Studies – buying credibility for their views without full disclosure.

In a rare exception to normal practice, the Atlantic Council’s foreign ties briefly came under close scrutiny in 2013, when its chairman, Chuck Hagel, was nominated to become President Obama’s Secretary of Defense. The Atlantic Council’s major funders include the United Arab Emirates and Bahrain, several Turkish entities, the Ukrainian World Congress, Kazakhstan, and several of the biggest U.S. defense corporations. Yet good luck finding any such disclosures at the end of the many op-ed columns its staff publish in the *Washington Post* and other outlets on relevant issues of U.S. foreign policy.

The combination of lax enforcement and tremendously high stakes – including billions of dollars in foreign aid, arms sales, and economic sanctions – has led to intense foreign lobbying in the United States, some of it financed with recycled U.S. aid. But there’s nothing new about this trend.

Forty years ago, in their book *The Power Peddlers*, Russell Warren Howe and Sarah Hays Trott reported that “the foreign lobby network is a high growth industry, both in terms of numbers and cash; there are at least fifteen thousand persons already engaged in foreign lobby activity . . . in Washington – thirty for every Member of Congress.”

Despite the serious implications for U.S. foreign policy and American democracy, such investigations of foreign lobbying have been few and far between. Perhaps the most far-reaching official probe was launched by Senate Foreign Relations Committee Chairman J. William Fulbright in 1963, led by special counsel Walter Pincus, who went on to a long career as an investigative reporter at the *Washington Post*. Among other things, the hearings exposed the lucrative, secretive work of lobbyists for various Caribbean nations to jack up U.S.

purchases of their sugar exports at above-market prices. Their efforts put millions of dollars in the pockets of ruthless dictators like Rafael Trujillo of the Dominican Republic.

After Trujillo's assassination in 1961, his former intelligence chief disclosed that Trujillo bought the votes of leading members of Congress for a bigger sugar quota with millions of dollars in bribes and the services of prostitutes. Those members of Congress went unprosecuted, but the Kennedy Justice Department nailed Hearst society columnist Igor Cassini – brother of the First Lady's favorite dress designer – for acting as an unregistered agent of the Trujillo regime. Three years earlier, the head of the Mutual Broadcasting System pleaded no contest to charges of accepting \$750,000 from Trujillo to act as another unregistered agent.

Unmasking the Pro-Israel Lobby

In 1962, the Justice Department also took rare aim at the pro-Israel lobby by forcing the American Zionist Council, formed in 1949 as a tax-exempt umbrella of American Jewish groups, to register as a foreign agent. Weeks later, supporters did an end run by folding AZC and incorporating the American Israel Public Affairs Committee (AIPAC) to continue acting as a de facto lobby – but without Israeli money and without filing as a foreign agent.

The Fulbright committee did not drop the case, however. It subpoenaed records of the AZC and determined that it had been “ostensibly controlled by American citizens but had its budget approved in Jerusalem.” Over a period of eight years, the committee learned, AZC took more than \$5 million from the Jewish Agency, a semi-official arm of the Israeli government, to disseminate pro-Israeli propaganda in the United States.

Grant Smith, a pioneering researcher on the origins of the pro-Israel lobby, has asked “what might be different today if AIPAC in particular had been properly registered under the Act.”

“When AIPAC director Morris Amitay was caught red-handed mishandling classified missile secrets in 1975, he could have been prosecuted under FARA. When AIPAC and an Israeli diplomat purloined the entire 300-page book of classified trade secrets compiled from 70 U.S. industry groups opposed to unilateral trade concessions for Israel in 1984, they could have been prosecuted for failing to report their clandestine subversion of due process. When in 2005 [AIPAC officials] Steven J. Rosen and Keith Weissman met with Israeli diplomats during efforts to pass classified information to the press they thought could trigger a U.S attack on Iran, FARA consequences would have awaited them all.

“However, because the U.S. Department of Justice has unilaterally abrogated its responsibility to enforce FARA, people, ideas, money and propaganda campaigns continue to secretly slosh freely between Tel Aviv and Israeli fronts in America with taxpayer funds thrown into the toxic brew.”

The issue of foreign agents and their role in U.S. politics resurfaced as a major issue in 2016, with speculation about Russian connections to the Trump campaign and reports of possible FARA violations by Trump’s campaign manager and chief foreign policy adviser. The American people are long overdue for another Fulbright-style investigation into foreign lobbies and the adequacy of current enforcement measures. To highlight some of the critical issues at stake, Consortiumnews.com over the next few days will publish a series of articles on some of the workings of lobbyists, pressure groups and agents working on behalf of Taiwan, Israel, Saudi Arabia, Turkey, and Ukraine.

Next: The China Lobby

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Donald Trump at a Lonely Crossroads

Battered for months by Russia-gate innuendo, Donald Trump finds his unlikely presidency at a dangerous crossroads with no clear-cut path ahead, writes ex-British diplomat Alastair Crooke.

By Alastair Crooke

It is time to pause, take a deep breath, and reflect. It is very clear that Trump’s Presidency is at a crossroads. This is not because there is any evidence of any wrongdoing. To date, there is a torrent of innuendo, but zero “evidence.” Rather, events have converged at a point of inflection, not because the President might be impeached – that is improbable because the bar in terms of evidence, and of Congressional votes required, is very high – but because recent days have unmasked the sheer breadth and visceral animosity of the forces determined to “take down” the President, by whatever means present themselves.

President Trump faces a mainstream media (MSM) that has become hysterical in perceiving collusion with Russia everywhere – even to the extent of querying how Russian Foreign Minister Sergei Lavrov, the Russian Ambassador, and a Russian photographer could have been allowed access to the Oval Office, thereby compromising American “security.” Trump faces a coalition of Clintonites,

“corporate” Republicans, neocons, and more significantly, a fifth column within the intelligence services which regards any attempt at détente with Russia to constitute *prima facie* treason.

In response to a question from Sen. Lindsey Graham, R-South Carolina, who asked FBI Director James Comey in the Senate Judiciary Committee “what kind of threat” Russia presents “to the democratic process” (that is to say Graham’s question was not about Russia’s military capabilities, but on the threat to Western democracies), Comey answered: “Certainly, in my view, the greatest threat of any nation on Earth, given their [Russia’s] intention and their capability.”

One might reasonably conclude then, that Trump inevitably will be overwhelmed by this onslaught. Certainly the noise from the East Coast media bubble is overwhelming. And that, precisely, is the threat to the President: the drip, drip, of innuendo that Professor Stephen Cohen has dubbed “the accusation of treason.”

“And”, Cohen added, “we have a whole array of allegations that Putin helped him [Trump] get in the White House – to his [Trump’s] associates doing wrong things with Russians ... This, [the allegations lacking any solid evidence] is beyond belief now ... This has become a national security threat to us, in and of, itself.”

A Paralyzed Administration

And now a Special Prosecutor has been appointed. One commentator summed it up thus: “That’s how special prosecutors work ... they hobble the president, drain away his political credibility, separate him from his supporters, and paralyze his administration. No legislator is willing to lend his support for fear of what the prosecutor might find. Each one will run for cover rather than work with Trump to get something done. In appointing a prosecutor, [Deputy Attorney General Rod] Rosenstein has killed this Administration’s ability to function. No health care overhaul. No tax cuts. No government reform. All while we await the results of a nothing investigation into a nothing scandal.”

The noise is overwhelming, but it is nearly all emanating from the coastal élites who inevitably speak the loudest. Polls may say that Trump’s favorability rating is slipping. That is so; but the polls also speak to the growing polarity between the Republican base, and the coastal Establishment: 81 percent of Clinton voters support impeaching the President, but 83 percent of Trump voters adamantly oppose it. Equally 91 percent of Clinton supporters “disapprove” of Trump, whereas 86 percent of the Trump base “support” him. There is evidence that the “deplorables” have been deeply angered by the impeachment talk.

And here lies the “inflection point”: President Trump’s base is pretty clear in identifying the “game plan” (it is widely dissected on the New Right, and Alt Right sites): The onslaught is not about finding the “evidence” (which probably doesn’t exist): The “Russian interference” meme emerged primarily from the Democratic National Committee email leaks that were originally attributed to a Russian “hack” (rather than a “leak” by Seth Rich, since murdered), via a private company, Crowd Strike, (evidence that experts now contest); from the discredited “dirty dossier” of ex-British spy Christopher Steele; and from unmasked intercepts of Trump aides (which have as yet shown no evidence of electoral collusion).

It is rather the drip, drip of innuendo which is intended – the Trump base avers – to collapse the President’s ratings (among his base) to the point at which even the Republican members of Congress will abandon the President, and join the “movement” to remove him, via one or other of the provisions of the U.S. Constitution.

Obstruction of Justice is unlikely to serve: As George Washington University law professor Jonathan Turley has said, former FBI Director James Comey’s memo offers “no proof for impeachment” of Trump. Turley noted: “Indeed, it raises as many questions for Comey as it does Trump in terms of the alleged underlying conduct.

“A good place to start would be with the federal law, specifically 18 U.S.C. 1503. The criminal code demands more than what Comey reportedly describes in his memo. There are dozens of different variations of obstruction charges ranging from threatening witnesses to influencing jurors. None would fit this case. That leaves the omnibus provision on attempts to interfere with the ‘due administration of justice.’

“However, that still leaves the need to show that the effort was to influence ‘corruptly’ when Trump could say that he did little but express concern for a longtime associate. The term ‘corruptly’ is actually defined differently under the various obstruction provisions, but it often involves a showing that someone acted ‘with the intent to secure an unlawful benefit for oneself or another.’ Encouraging leniency or advocating for an associate is improper but not necessarily seeking an unlawful benefit for him.”

What the point of inflection calls for (Trump’s supporters’ say), is to insist that the FBI investigation be concluded expeditiously, and that a counter-attack on the leaders of those forces (whomsoever they are), and on their “moles” – “embedded insurgents committed to forcing Trump from office” – who are leaking innuendo to the MSM, be prosecuted.

It is a crossroads. Trump has to halt the drumbeat, or see his Presidency crumble into dust. And the blade of “defamation politics” can be two-edged: Hillary Clinton was no paragon of virtue.

An Elusive Achievement

In this context, Trump now needs a policy achievement more than ever. A legislative success in the domestic arena is – evidently – not in prospect, but rather the political convulsions in D.C. may finally spook a somnolent and supine Wall Street to think about risk again (VIX, a litmus of market volatility, has been at historic lows) – especially as market insiders are warning their clients “not to expect to [be] bailed out by the Fed this time.” Indeed the entire Trump reflation program looks as if will be a long time coming (if it comes at all, this year).

At such times, foreign policy may come to the fore. We have already noted that the Astana Process has witnessed a White House, more ready than Obama’s, to work with Russia, Turkey and Iran, to reach some sort of settlement in Syria. The triumph of the “defeat” of ISIS in Raqqa’a and Mosul might constitute just such an achievement to rally Trump’s base.

Trump was politically courageous in inviting Lavrov into the Oval Office (at a time when “the drumbeat” of Russia collusion was reaching a crescendo). It seems that Russia and its allies are ready to concede to Trump the taking of Raqqa’a, (the Syrian Foreign Minister has effectively acknowledged this); and in return, Russia and Iran have been put on test by the White House.

The hostile rhetoric from Washington on Iran, has been notably absent since Astana, and the secondary sanctions waiver in connection with the JCPOA (the nuclear agreement) has been renewed. It seems Trump has realized that Generals James Mattis (Defense Secretary) and H.R. McMaster (National Security Adviser) were intent on leading the President back into a series of (unwinnable) wars – at least that seems to be the message of Astana which has put two negotiators, Russian Foreign Minister Lavrov and Secretary of State Rex Tillerson firmly in the driver’s seat.

But here too, the onslaught on the President, and on the Astana political process is likely to continue. Recall that President Obama, who was ever more hesitant than Trump – (never fully endorsing) Secretary of State John Kerry’s and FM Lavrov’s negotiating marathons – witnessed those political efforts sabotaged by his own Pentagon (the “accident” at Dier Azor, killing 68 Syrian Army soldiers defending their besieged base against ISIS militants), and Defense Secretary Ashton Carter’s public equivocation about sharing intelligence on ISIS and al-Qae’da with the Russians).

Already the signs of similar sabotage are present: i.e. the Acting Assistant Secretary of State Stuart Jones's dubious announcement – on the eve of a Geneva round of Syria talks – that the U.S. had found evidence of a crematorium at a Syrian prison, in which the remains of mass executions of prisoners were burned. Two days later Jones resigned from the State Department, with a colleague noting that while Jones was retiring early for personal reasons, his departure was a case of “another senior government official with real competence leaving.” (Or, in other words another anti-Trump dissident leaving the ship.)

Even Anne Barnard of the *New York Times* noted that the timing of the crematorium allegations seemed “political.” Yes, indeed political, but directed at the Russians or at Trump? There are also reports that a contingent of U.S. and British Special Forces are operating in southern Syria to stymie any Syrian army or Hezbollah advance in order to regain control of the Syrian-Iraqi border. On Thursday, a U.S.-led airstrike hit Syrian military forces that were deemed too close to the U.S.-British base.

So President Trump should beware. Peace settlements require huge efforts to assemble, but can be undone in a moment. And Saudi Defense Minister Prince Mohammad bin Salman should note: Trump just might be more interested in defeating ISIS at this moment, than suffering a further Saudi lecture on the misdeeds of Iran. Though President Trump will be happy to receive whatever boodle with which the Saudis may care to shower him. Rumors say up to \$300 billion – \$400 billion in arms deals! “Quite nice,” as the Donald might say.

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Do High-Level Leaks Suggest a Conspiracy?

Widespread concern inside Official Washington about President Trump's unfitness for the job is fueling a campaign of high-level leaks that is taking on the look of a “soft coup,” says ex-CIA officer Philip Giraldi.

By Philip Giraldi

Back in my time in the CIA, there were two places in the headquarters building one could go that were free speech zones – places where it was safe to vent

about senior management without necessarily being admonished or even reported. They were the Historical Intelligence Collection room off the library, where no one ever went to look at the books, and the office supplies storage room in the basement.

The supplies room had a lot of dark corners and concealing shelves where it was possible to be anonymous and it was completely unsupervised in the belief that true-blue CIA officers would never stoop to taking even a single pencil more than was actually needed to get the job done.

I don't know if those rooms still exist, but I sometimes think of them when the subject of government conspiracies come up. I have this vision of two or three conspirators huddled in the corner behind the staplers back in 1975 discussing how one would go about eliminating the likes of Senator Frank Church, who at that time was heading a major congressional investigation into CIA improprieties.

If there had been such a gathering, I would imagine that the *Washington Post* would have found out about it on the next day as intelligence officers are gregarious and like to talk. This has been my principal problem with the debate in some quarters about the 9/11 Commission. Their report did indeed miss many important angles in order to protect certain governmental interests, but if there had been a genuine conspiracy involving what must have been hundreds of people to demolish the Twin Towers with explosives, it surely would have leaked long ago.

Two months ago, I would have dismissed as fantasy any thoughts of a conspiracy based in America's national security agencies to bring down Donald Trump. But now I am not so sure. Many of my friends who are former intelligence officers are increasingly asking questions. It is worth pointing out that none of us are fans of what the White House has been doing and saying – quite the contrary.

Defense of the Constitution

Still, alerting the country to concerns over what might be a developing soft coup orchestrated by the intelligence and law-enforcement agencies to nullify the results of a national election in no way equates to trying to protect Donald Trump and his uncouth and ill-informed behavior. It is rather a defense of the Constitution.

Donald Trump said on Wednesday that “This is the single greatest witch hunt of a politician in American history!” He might be right. He was referring to Deputy Attorney General Rob Rosenstein's appointment of the highly-respected Robert Mueller as independent counsel to investigate “any links and/or coordination

between Russian government and individuals associated with the campaign of President Donald Trump, and any matters that arose or may arise directly from the investigation.”

Trump’s bombast puts everyone but his most tone-deaf supporters on edge, but there are two points that he has been making repeatedly that are essential to any understanding of what is going on.

First, the investigation into Russia and the Trumpsters has been a high priority at FBI and also in Congress for nearly a year. Yet so far no one has produced evidence that anyone broke any law or even that someone did something wrong.

Second, and more importantly, the vilification of Trump and Russia has been driven by a series of leaks that come from the very top of the national security apparatus, leaks that appear not to have been seriously investigated.

This involvement of FBI and CIA in the campaign, whether inadvertently or by design, was particularly evident in the various reports that surfaced and were leaked to the press during the campaign and right up to the inauguration. The leaks of that type of information, to include technical intelligence and Special Access Program “codeword” material, require top-level access as well as the ability to arrange clandestine contacts with major players in the media, something far beyond the reach of most employees at CIA or the FBI.

The Lavrov Leak

Similar leaks have been appearing since that time. I confess to finding Monday’s detailed account of what President Trump discussed with Russian Ambassador Sergey Lavrov, which included corroborating material that likely did more damage than the information that was actually shared, highly suggestive of the possibility that something like a conspiracy is, in fact, functioning.

Given the really tight-security control of that transcript after it was determined that it contained sensitive information, one might reasonably assume that the leaks to the media came directly out of Donald Trump’s own National Security Council or from the highest levels of the office of the DNI, CIA, or FBI.

On Wednesday, the anonymous sources struck again, revealing that “Michael Flynn and other advisers to Donald Trump’s campaign were in contact with Russian officials and others with Kremlin ties in at least 18 calls and emails during the last seven months of the 2016 presidential race.” That sort of information had to come from the top level of the FBI and would have been accessible to only a few, but even though the leaks of what constitutes highly-classified information have been recurring for many months, no one has been fired or

arrested.

The emphasis on Russia derives from the government and media consensus that Moscow was behind the hacking of Democratic National Committee (DNC) computers that led to the exposure of what the DNC was doing to destroy the candidacy of Bernie Sanders. There is also a related consensus that the Russian hacking was intended to damage American democracy and also to help the Trump campaign, a narrative that the President has described as a “made-up thing,” a view that I share. All of these assertions are regarded as unquestionably true as measured by inside-the-beltway groupthink, with even the White House now conceding that there was Russian interference in the election.

Sometimes the hysteria over Russia produces over-the-top stories in the mainstream media, including last week’s completely speculative piece wondering whether the entourage of Foreign Minister Sergey Lavrov had sought to sneak a recording device into the White House during his White House visit. It was the type of tale that might have been inspired by a leak from someone in the National Security Council who personally observed the context of the meeting and was able to provide corroborating details.

Where’s the Beef?

Nevertheless, in spite of the overwhelming groupthink, it has been repeated *ad nauseam* by people like myself that no actual evidence has been produced to support any of the claims being made about Russia and Trump. There is more evidence that the White House was penetrated by Ankara – through the good services of Michael Flynn – than by Moscow, but Congress has not called for an investigation into Turkey’s lobbying.

Ray McGovern, a former senior CIA analyst, is even speculating that the Agency might have been the actual hacker into the DNC, leaving a trail behind that would have suggested that it was done by the Russians. His concern arises from the recent WikiLeaks revelation that the CIA had developed cyber-warfare capabilities to do just that.

McGovern, like myself, is also asking why former CIA Director John Brennan has not been summoned by the Senate Committee looking into Russia-gate. Former Director of National Intelligence James Clapper has testified twice, while former FBI Director James Comey, current NSA Director Mike Rogers, and former Justice Department senior official Sally Yates have all appeared once. Brennan’s absence is conspicuous as he was the senior national security official most closely tied to the Obama Administration, may have had the tools at hand to fake the Russian connection, and has also been plausibly linked to “encouraging” British Intelligence to provide damaging information on Michael Flynn.

I now suspect that there is indeed a group at the top of the U.S. national security system that wants to remove Donald Trump and has wanted to do so for quite some time. If that is true, I believe that they have been operating with that goal in mind for at least the past year. It is not a traditional conspiracy or cabal in that it does not meet and conspire together, but I suspect the members know what they are doing in a general sense and are intervening whenever they can to keep Trump off balance.

Their program is simple: convince the nation that the President and his team colluded with the Russians to rig the 2016 election in his favor, which, if demonstrable even if not necessarily true, would provide grounds for impeachment. They are motivated by the belief that removing Trump must be done "for the good of the country" and they are willing to do what they consider correcting a mistake made by the American voters. They are assisted in their effort by the mainstream media, which agrees with both the methods employed and the overall objective and is completely on board with the process.

Saving the country from Trump is certainly an attractive notion. I suspect the Comeys, Clappers, and Brennans, together with a host of former senior officers who appear regularly on television, if they were involved, see themselves as great patriots. But they must understand that the blunt instrument they are using is far more dangerous than the current occupant of the White House.

A soft coup engineered by the national security and intelligence agencies would be far more threatening to our democracy than anything Donald Trump or even the Russians can do.

Philip Giraldi, a former CIA officer, is executive director of the Council for the National Interest. [This article is re-posted with the author's permission. It first appeared at The American Conservative at <http://www.theamericanconservative.com/articles/do-high-level-leaks-suggest-a-conspiracy/>]
