



October 24, 2023

Via Electronic Mail

The Hon. Matthew G. Olsen, Assistant Attorney General for National Security
c/o Foreign Agents Registration Act Unit
U.S. Department of Justice
175 N Street, NE
Constitution Square, Building 3 - Room 1.204
Washington, DC 20002
fara.public@usdoj.gov

**Foreign Agent Registration of Schedule C Appointee Ariane Tabatabai,
Chief of Staff for Assistant Secretary of Defense for Special Operations and
Low Intensity Conflict (ASD/SOLIC).**

Dear Mr. Olsen:

America First Legal Foundation hereby petitions the Department of Justice to seek and obtain a registration statement and disclosure filings from Schedule C Appointee Ariane Tabatabai, Chief of Staff for Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD/SOLIC), in compliance with the Foreign Agent Registration Act, 22 U.S.C. §§ 612(a), 618(f) and (g). As explained below, Tabatabai, at all relevant times, was an undisclosed agent of the Islamic Republic of Iran.

I. Background

1. The Foreign Agent Registration Act was enacted 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. *Meese v. Keene*, 481 U.S. 465, 469 (1987) (brackets omitted) (quoting 56 Stat. 248, 248–49 (1942)).

2. An “agent of a foreign principal” is a person who acts 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 (i) who directly or through any other person 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 publicity agent, information-service employee or political consultant for or in the interests of such foreign principal, or (iii) represents the interests of such foreign principal before any agency or official of the Government of the United States. 22 U.S.C. § 611(c)(1).

3. 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. 22 U.S.C. § 612(a). The registration requires extensive details about the registrant's business, agreements, and activities. *See id.* All aspects of this registration statement must be made public: the Attorney General must "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." 22 U.S.C. §§ 616(a), (d); see also 28 C.F.R. §§ 5.600, 5.601.

4. Section 614, titled "Filing and labeling of political propaganda," mandates that an agent of a foreign principal who "transmits or causes to be transmitted...any informational materials for or in the interests of such foreign principal" must file the materials with the Attorney General, and label them with a "conspicuous statement" that they are being distributed by an agent on behalf of the foreign principal. §§ 614(a), (b). Subsection (e), titled "Information furnished to agency or official of United States Government", provides that is "unlawful" for an agent of a foreign principal:

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.

5. Section 618, titled "Enforcement and penalties," criminalizes willful violations of the Act and its regulations, provides for the removal of any alien who violates or conspires to violate the Act, and specifies that the failure to file a registration statement or supplements thereto is considered a continuing offense for as long as such failure exists "notwithstanding any statute of limitation or other statute to the contrary." 22 U.S.C. §§ 618(a), (c), (e). Subsection 618(f), titled "Injunctive remedy; jurisdiction of the district court," provides that "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. *See also* 22 U.S.C. § 618(g).

6. America First Legal Foundation is a national, nonprofit organization working to promote the rule of law in the United States, prevent executive overreach, and ensure due process and equal protection for all Americans, all to promote public knowledge and understanding of the law and individual rights guaranteed under the Constitution and laws of the United States. America First Legal’s public education mission includes supporting policies aimed at protecting our nation’s sovereignty, economic security, and Constitution. Publicly disseminating relevant information about government operations, including the foreign entanglements of government officials, is a core organizational purpose.

II. The Evidence is that Tabatabai was an Agent of the Islamic Republic of Iran

7. Upon information and belief, Ariane Tabatabai is an American citizen. She is currently the Chief of Staff for the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD/SOLIC).

8. The evidence is that she was an agent for the Islamic Republic of Iran.

9. Recent reporting has disclosed emails between Iranian regime diplomats and analysts showing that Tabatabai was part of a propaganda unit called the “Iran Experts Initiative” (IEI) set up in 2014 by the Iranian Foreign Ministry. *See generally* Jay Solomon, *Inside Iran’s influence operation*, SEMAFOR (Sep. 29, 2023), <https://bit.ly/46G9y9D>; *see also* Lee Smith, *High-Level Iranian Spy Ring Busted in Washington*, TABLET (Oct. 1, 2023), <https://bit.ly/3Me4ocu>.

10. The IEI, according to a 2014 email from one Iranian official to one of Iran’s lead nuclear negotiators, “consisted of a core group of 6-10 distinguished second-generation Iranians who have established affiliation with the leading international think-tanks and academic institutions, mainly in Europe and the US.” The network was funded and supported by an Islamic Revolutionary Guards Corps (IRGC) official, Mostafa Zahrani, who was the point of contact between IEI operatives, and Iran’s then-Foreign Minister Javad Zarif.

11. Tabatabai wrote to Zahrani in Farsi on June 27, 2014, to say she had met Saudi Prince Turki al Faisal — a former ambassador to the U.S. — who expressed interest in working together and invited her to Saudi Arabia. She also said she had been invited to attend a workshop on Iran’s nuclear program at Ben-Gurion University in Israel. “I am not interested in going, but then I thought maybe it would be better that I go and talk, rather than an Israeli like Emily Landau who goes and

disseminates disinformation. I would like to ask your opinion too and see if you think I should accept the invitation and go.”

12. Zahrani replied to her that same day: “All things considered, it seems Saudi Arabia is a good case, but the second case [Israel] is better to be avoided. Thanks.” Tabatabai answered a few hours later: “Thank you very much for your advice. I will take action regarding Saudi Arabia and will keep you updated on the progress.”

13. On July 10, 2014, she wrote to Zahrani that she had been asked to appear before multiple congressional committees alongside two Harvard academics — Gary Samore and William Tobey — whom she viewed as hawkish on Iran. “I will bother you in the coming days. It will be a little difficult since both Will and Gary do not have favorable views on Iran,” she wrote.

14. In June 2014, Ariane Tabatabai emailed Zahrani to say she had been invited to conferences in Saudi Arabia and Israel and asked for his prior approval of her trips. “I would like to ask your opinion too and see if you think I should accept the invitation and go,” she wrote. Zahrani replied that “Saudi Arabia is a good case, but the second case [Israel] is better to be avoided.” She responded: “Thank you very much for your advice. I will take action regarding Saudi Arabia and will keep you updated on the progress.” There is no record of Tabatabai traveling to Israel.

15. A month later, she again wrote Zahrani asking for additional instructions. She had been invited to join academic experts Gary Samore and William Tobey to brief House members on the Foreign Relations, Armed Services, and Intelligence committees. “I am scheduled to go to the Congress to give a talk about the nuclear program,” she wrote the IRGC official. “I will bother you in the coming days. It will be a little difficult since both Will and Gary do not have favorable views on Iran.” Zahrani forwarded the email to Zarif.

16. Shortly after the 2014 meeting in Vienna, Tabatabai sent Zahrani a link to an article she had co-authored with Dina Esfandiary. “As I mentioned last week, Dina and I wrote an article about the nuclear fuel of Bushehr [nuclear power plant] for the Bulletin which was published today. Our goal was to show what is said in the West—that Iran does not need more than 1500 centrifuges—is wrong, and that Iran should not be expected to reduce the number of its centrifuges.” Zahrani then forwarded the email to Zarif.

17. The Iranian officials behind the IEI — Zahrani and Khatibzadeh — boasted to their superiors in internal emails about the initiative’s successes. They tracked how often the academics in the IEI wrote or were cited in the media during the week after a preliminary nuclear agreement was reached between Tehran and

world powers on April 2, 2015, in Lausanne, Switzerland. The media data was shared with others in the Iranian Foreign Ministry in Tehran.

18. “Following our phone conversation, I attached here for your review only a few of the most significant works some of our friends published during the week after the Lausanne framework agreement was reached,” Khatibzadeh wrote in Farsi. “We were in constant contact and worked vigorously around the clock. Some friends performed as resourceful as a media outlet all by themselves.”

19. On April 14, 2015, Khatibzadeh emailed Zahrani, who then forwarded the message to Zarif and one of the foreign minister’s deputies on the nuclear negotiating team, Majid Takht-Ravanchi. Khatibzadeh attached 10 separate Word documents to the email, each referencing the media footprint of each IEI academic, including Tabatabai.

20. Khatibzadeh, the future Foreign Ministry spokesman boasted in the email: “These are in addition to hundreds of tweets, posts and...on the internet that were definitely unique and trend-setting in their own right. It should be noted that these works were not only published in English, but also in several other international languages.”

21. The list shared by Khatibzadeh showed that in one week, Ariane Tabatabai published four articles, including in *Foreign Policy*, and gave interviews to the *Huffington Post* and Iran’s *Fars News* agency, which is linked to the powerful Islamic Revolutionary Guard Corps.

22. Tabatabai’s correspondence with Zahrani offers clear evidence that she was (and may remain) an active participant in a covert Iranian influence campaign designed to shape U.S. government policy to serve the interests of the Iranian regime. Her requests for guidance from top Iranian officials, which she appears to have faithfully followed, and her desire to harmonize her own words and actions with Iranian objectives, raise obvious Foreign Agents Registration Act concerns.

23. The veracity of the above-cited emails has not been challenged.

III. Conclusion

WHEREFORE, America First Legal hereby petitions the Department of Justice to take agency action, as defined at 5 U.S.C. § 551(13), to seek and obtain Ms. Tabatabai’s Foreign Agent Act registration.

Respectfully submitted,

/s/ Reed D. Rubinstein

America First Legal Foundation