

Nebraska Foreign Adversary and Terrorist Agent Registration Act (FATARA)

Neb. Rev. Stat. §§ 4-201 to 4-213

Notice of 30-Day Period for Initial Statements: The FATARA Registration Statement Form will be available on October 1, 2025. The Attorney General's Office is allowing registrants 30 days for initial statements. For those required to register, initial registration statements must be completed by October 31, 2025.

Frequently Asked Questions (FAQs)

Background

- What is FATARA?
 - FATARA refers to the Foreign Adversary and Terrorist Agent Registration Act, a Nebraska state statute. It requires registration and disclosure by individuals and organizations acting as agents of a foreign adversary nation or a foreign terrorist organization who engage in covered activities within Nebraska. Covered activities include:
 - Political or lobbying activities,
 - Public relations or publicity efforts,
 - Soliciting or distributing funds or things of value, or
 - Representing a foreign adversary or terrorist organization before state or local officials.
 - Agents must also label informational materials distributed in Nebraska on behalf of such principals.
 - See Neb. Rev. Stat. § 4-203(2).
- What is the purpose of FATARA?
 - FATARA promotes transparency by making the public and policymakers aware of foreign influence in Nebraska. It ensures that state officials and citizens know the source of information or advocacy tied to foreign adversary nations or terrorist organizations. The Attorney General's Office makes registration information publicly available.
 - See Neb. Rev. Stat. § 4-202.
- What is the FATARA Registration Unit?
 - The FATARA Unit, within the Consumer Protection Bureau of the Office of the Attorney General, administers and enforces FATARA. The Unit:
 - Responds to inquiries from registrants,
 - Processes registration filings and informational materials,
 - Publishes a monthly report on registrations and foreign activities,
 - Makes disclosures available to the public,
 - Reviews filings for compliance, and

- Reports to the Legislature every six months on administration of the Act.
 - See Neb. Rev. Stat. § 4-208.
- What are the penalties for violating FATARA?
 - Civil penalty of up to \$50,000 for willful violations,
 - Possible expulsion or dismissal if the violator is affiliated with a Nebraska postsecondary educational institution,
 - Enforcement actions by the Nebraska Attorney General, including injunctions or corrective orders.
 - See Neb. Rev. Stat. § 4-210.

Definitions

- What is an “agent of a foreign principal”?
 - An agent of a foreign principal is any person who acts in Nebraska on behalf of a foreign adversary or terrorist organization and:
 - Engages in political conduct, such as intending to influence any state government official or the Nebraska public regarding policy or the political or public interests of a foreign government or foreign political party,
 - Acts as a public relations counsel, publicity agent, information service employee, or political consultant,
 - Solicits, collects, disburses, or dispenses funds or things of value, or
 - Represents the interests of a foreign principal before any Nebraska agency, official, or political subdivision.
 - See Neb. Rev. Stat. § 4-203(2)(a).
- What is a “foreign principal”?
 - A foreign principal is:
 - A foreign government or political party,
 - Any person outside the U.S. (other than U.S. citizens domiciled here),
 - An entity organized under foreign law, or
 - A faction or body of insurgents not recognized by the U.S. government.
 - See Neb. Rev. Stat. § 4-203(6).
- What is an “adversary nation”?
 - An adversary nation is defined by reference to U.S. regulations at 15 C.F.R. 791.4 (as of April 1, 2025). These are countries determined by the U.S. Secretary of State to have engaged in patterns of conduct significantly adverse to U.S. security. As of April 1, 2025, the U.S. Secretary of State has designated the following countries as adversary nations pursuant to 15 C.F.R. 791.4:
 - The People's Republic of China, including the Hong Kong Special Administrative Region and the Macau Special Administrative Region (China);
 - Republic of Cuba (Cuba);
 - Islamic Republic of Iran (Iran);

- Democratic People's Republic of Korea (North Korea);
 - Russian Federation (Russia); and
 - Venezuelan politician Nicolás Maduro (Maduro Regime).
- See Neb. Rev. Stat. § 4-203(1).
- What is a “foreign terrorist organization”?
 - A foreign terrorist organization is one designated by the U.S. Secretary of State under 8 U.S.C. § 1189 (as of April 1, 2025).
 - See Neb. Rev. Stat. § 4-203(7).

Compliance and Exemptions

- Are there exemptions to FATARA?
 - Yes. Below is a summary of key exemptions with statutory references:
 - Diplomatic and Consular Officers
 - Officers and their staff acting in their official capacity are exempt when recognized by the U.S. Department of State, so long as they are not acting as public relations counsels, publicity agents or information-service employees.
See Neb. Rev. Stat. § 4-205(1)(a)-(c).
 - Certain Foreign Officials
 - Foreign Officials as recognized by the U.S. Department of State not engaged in public relations counsels, publicity agents, or information-service employees.
 - Legal Representation
 - Attorneys representing foreign principals before Nebraska or U.S. courts and agencies are exempt, but the exemption does not apply if the representation includes political or influence activity outside those proceedings.
See Neb. Rev. Stat. § 4-205(1)(d).
 - Media Entities
 - Media entities are exempt only if at least 80% owned by U.S. citizens, run by U.S. citizen officers and directors, and not controlled or financed by a foreign principal.
See Neb. Rev. Stat. § 4-203(2)(b).
- There are differences between the exceptions in the federal Foreign Agent Registration Act (FARA) and FATARA. If an agent falls under one or more exception to FARA, are they exempt from registering under FATARA?
 - The FARA exemptions for diplomatic/consular officials, their staff, officials of foreign governments, and qualified attorneys engaged in legal representation are mirrored in FATARA. However, FATARA contains no exemptions for academic, scientific, artistic, or religious activities; trade, commercial, or charitable activities; foreign governments vital to the defense of the United States; or agents

of foreign principals registered as lobbyists. In addition, FATARA contains several exemptions that are not found in FARA, including for media entities that meet ownership, direction, and control requirements and for persons engaged in individual immigration relief.

- Do I need to contact the FATARA Unit to qualify for an exemption?
 - It is the responsibility of a person or entity potentially subject to FATARA to determine whether FATARA applies to its activities or whether the activities are exempt from registration under FATARA.
 - The burden of establishing the availability of an exemption rests upon the party claiming it.

Registration

- When is registration due?
 - Agents must file a registration with the FATARA Unit within 10 days of agreeing to act as an agent. No activities may begin until registration is complete.
 - For purposes of initial implementation of the Act, the FATARA Registration Statement Form will be available on October 1, 2025. The Attorney General is allowing a 30-day grace period for initial statements. For those required to register, initial statements must be completed by October 31, 2025.
 - See Neb. Rev. Stat. § 4-204.
- Who must register?
 - All persons or entities lobbying, engaging in government relations, or otherwise conducting activities that involve advocacy on behalf of a foreign principal subject to FATARA must register.
 - All persons or entities that represent or serve on behalf of a foreign principal subject to FATARA in a manner intended to influence political or policy views must register.
 - Educational, charitable, entertainment, and public relation activities that promote or intend to influence political or policy views are subject to registration.
- Must all employees of a foreign principal register or otherwise be disclosed?
 - No. While employment records and information related to employees of a foreign principal must be made available to the Attorney General's Office upon request, records and information related to employees who are solely engaged in business operations do not need to be filed.
 - Records and information must be provided regarding any employee who engages in covered conduct.
- Does providing goods or services to a foreign principal mean I have to register?
 - Any agent who solicits, collects, disburses, or dispenses funds or things of value on behalf of a foreign principal must keep records for at least three years and make records available to the Attorney General upon request.

- An agent must register if it solicits, collects, disburses, or dispenses funds or things of value on behalf of a foreign principal related to:
 - Conduct intended to influence political or policy views;
 - Donations or contributions to political activities, funds, candidates, or causes;
 - Donations or contributions to organizations, causes, or funds related to matters of public policy or political advocacy; or
 - Transactions between the foreign principal and adversary nation or foreign terrorist organization.
- Will the FATARA Unit review a registration statement before filing?
 - No. The FATARA Unit does not accept draft submissions and will not review statements submitted in draft form. It is the obligation of the submitting party to file a truthful and complete registration statement.
- How is registration completed?
 - Registration is accomplished by filing the FATARA Registration Form electronically with the Attorney General's Office.
- How often must registrants update their filings?
 - Registrants must file supplemental statements every six months, due 30 days after the reporting period ends.
 - See Neb. Rev. Stat. § 4-204(2).
- Does the FATARA Unit notify registrants when supplemental statements are due to be filed?
 - No. The obligation to file timely registration statements and supplements rests on the registrant.
- How do I terminate a registration?
 - A registrant must file a final supplemental statement within 30 days of ending an agency relationship. Failure to file may result in the registration being deemed delinquent.
 - See Neb. Rev. Stat. § 4-204(3).
- Does the filing of a registration statement ensure compliance?
 - The fact that a registration or supplement statement has been filed with the FATARA Unit does not mean that there is full compliance with FATARA, nor is it an indication that the Office of the Attorney General has assessed the merits of the filing. The Office of the Attorney General must still review the filing to ensure that it is not deficient. Filing will also not preclude prosecution for an earlier willful failure to file or for a false statement or omission of a material fact.

Books and Records

- What records must registrants maintain?
 - While acting as agent of a foreign principal, registrants must keep all correspondence, contracts, financial records, and materials relating to their

activities on behalf of foreign principals. Records must be kept for three years after registration ends and be available for inspection by the Attorney General's Office.

- See Neb. Rev. Stat. § 4-207.
- The records I'm filing are sensitive or proprietary, will they become publicly available if filed?
 - The identity of the registrant and foreign principal as well as the description of the covered conduct provided will be available to the public.
 - Not all records and information provided to the Attorney General's Office are subject to public disclosure. Form submissions to the FATARA Unit and inspections of records are investigatory in nature.
 - It is the sole duty of the registrant to indicate if certain materials are of a special confidential nature and to defend against disclosure. Registrants may label submissions as "CONFIDENTIAL," including indicating asserted special protections, e.g., "CONFIDENTIAL – PROPRIETARY" or "CONFIDENTIAL – TRADE SECRET." Any label must not obscure or otherwise make the submitted materials difficult to read. Labels in top margins are preferred. Watermarks are unacceptable. If a filing cannot be easily labelled, a registrant may indicate the asserted confidential nature in the file name.

Informational Materials

- What are "informational materials"?
 - Informational materials are items (print, digital, broadcast, or social media) disseminated in Nebraska on behalf of a foreign principal.
 - All materials must include a conspicuous statement: "This material is distributed by [name of registrant] on behalf of [name of foreign principal]. Additional information is on file with the Nebraska Attorney General."
 - See Neb. Rev. Stat. § 4-206.
- What informational materials must be filed?
 - Informational materials that include any statement or communication that advocates for, supports, criticizes, or otherwise takes a position on a political or policy matter must be submitted.
 - Informational materials that include any statement or communication intended to influence any person or entity regarding legislation, regulation, political matters, or matters of public policy must be submitted.
 - Statements and communication made in private disputes, such as legal proceedings, or made in the regular course of business operations, such as administrative filings or in administrative proceedings, do not need to be filed.
- When must informational materials be filed?
 - Materials must be filed with the FATARA Unit within 48 hours of transmittal.
- How do I label television, film, video, web-based broadcasts?

- Informational materials in the form of television, film, video, or web-based broadcasts shall be introduced by the required conspicuous statement. The statement should appear as a chyron or other visual means and should remain visible for a period of time reasonably adapted to ensure that it can be read.
 - Informational materials disseminated by still or motion picture film must contain the conspicuous statement at the beginning of such film.
- How do I label radio broadcasts?
 - Informational materials that are broadcast shall be audibly introduced with a recitation of the required conspicuous statement.

FATARA Electronic Filing

- All registrations, updates, and informational materials must be filed electronically using the FATARA Registration Form.
- Registrants receive a confirmation page upon successful submission.
- For technical problems and questions regarding the registration form, contact the FATARA Unit:

By E-mail: ago.fatara@nebraska.gov

By Phone: (402) 471-2683

By Correspondence:

FATARA Unit, Consumer Protection Division

Office of the Attorney General

1445 K Street, Room 2115

Lincoln, Nebraska 68508.

Disclaimer: This FAQ is for informational purposes only and does not constitute legal advice. For specific questions and compliance concerns, consult the statute and seek private legal counsel.