



U.S. Department of Justice

National Security Division

Washington, DC 20530

August 13, 2014

[addressee deleted]

Re: Request for a Rule 2 Advisory Opinion

Dear [name deleted]:

This responds to your August 6, 2013, request for an advisory opinion, pursuant to 28 C.F.R. § 5.2, regarding the possible obligation or exemption of the [US organization] under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 *et seq.* (FARA or the Act). You identify yourself as Chairman of the [US organization] and summarize the activities of your organization. To determine whether the [US organization] is obligated under the Act, it will be necessary for you to provide us with additional and more specific information about your organization.

You indicated in your letter that the [US organization] is incorporated in [US state], and consists of [foreign nationals] living in the United States who support the [foreign political party], a political party in [foreign country]. [US organization] collects money from its members and other [foreign nationals] in the United States to support [foreign political party]. You further indicated that many [foreign nationals] in the United States are eligible to vote in [foreign country] elections. You conclude that the [US organization] (1) is independent of and does not act at the direction and control of [foreign political party]; (2) is not involved in political activities in the United States for [foreign political party]; (3) receives no funds from [foreign political party]; and (4) does not disburse any funds in the United States on behalf of [foreign political party].

FARA requires an agent of a foreign principal to register with the Attorney General of the United States within 10 days of becoming an agent. An agent is a person who engages in certain activities at the request of or under the direction or control of a foreign principal. Under FARA, a foreign political party is considered a foreign principal. In order to determine whether your organization is required to register, we must determine whether [US organization] is an agent of the political party, [foreign political party], and whether [US organization] is involved in political activity for [foreign political party] in the United States.

To assist us in our determination, please supply the following information: (1) a copy of the articles of incorporation and bylaws of [US organization]; (2) the mission and purpose of [foreign political party] and [US organization]; (3) copies of any contracts or memoranda of understanding between [US organization] and [foreign political party] or the terms of any oral

agreement [US organization] has with [foreign political party]; (4) the names of individuals, if any, who are common officers or leaders of both [US organization] and [foreign political party]; (5) the methods of fund raising and distribution of funds by the [US organization] in the United States for [foreign political party]; (6) the funds collected by [US organization] for [foreign political party]; and (7) a description of the political activities of [US organization] in the United States.

Finally, the fee for an advisory opinion under FARA, pursuant to 28 C.F.R. §5(d)(8), is \$96.00. The fee may be paid by cash, check or money order payable to “FARA Registration Unit.” The payment must be included with your next correspondence in order for the Unit to process your request for an advisory opinion.

If you have any questions, please call me at (202) 233-0777.

Sincerely,

Heather H. Hunt, Chief
Registration Unit