



U.S. Department of Justice

National Security Division

Washington, DC 20530

September 6, 2012

[addressee deleted]

Re: Requests for a Rule 2 Advisory Opinion

Dear [name deleted]:

This is in response to your letters of March 15, 2012 and May 31, 2012, requesting an advisory opinion pursuant to 28 C.F.R. § 5.2 of the regulations to the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 *et seq.* (FARA or the Act) for your activities on behalf of the [foreign government]. We have reviewed your correspondence, the articles written by you for the [US think tank] and [foreign newspaper], and other public source information about [foreign country]. Based upon this review, we request additional information about your past and proposed activities.

To summarize your proposed activities, you will give advice on [foreign government]'s security and national defense to the President and Prime Minister of [foreign country], as well as [foreign country]'s Ambassador to the United States and other senior leadership of [foreign government]. You assert that your work for [foreign government] will not encompass activities listed in 22 U.S.C. § 611(c), indicating that you do not intend to engage in any political activities in the interests of a foreign principal, including representation of any foreign principal before U.S. Government officials, nor do you intend to engage in any other covered activities listed in 22 U.S.C. § 611(c). Your letters detail your employment, but there is no mention of your career as a journalist or any details of your recent journalistic activities.

FARA is a disclosure statute that requires persons acting as agents of foreign principals in a political or quasi-political capacity to register with the Department of Justice and make periodic public disclosure of their relationship with the foreign principal, as well as activities, receipts, and disbursements in support of these activities. The Act's purpose is to protect the national defense and foreign relations of the United States, ensuring the American public and its lawmakers know the sources of information intended to sway U.S. public opinion, policy, and laws.

Political activity as defined in 22 U.S.C. § 611(o) does not include your giving advice to [foreign government] on matters unrelated to the integrity of the U.S. Government decision making process or American public opinion toward [foreign country]. However, the newspaper articles written by you about [foreign country], specifically your articles in the [US publication]

on [date deleted] and in the [foreign newspaper] on [date deleted] about [foreign government]'s [text deleted], are disseminated to the United States public and relate to U.S. foreign and domestic policy, and the political or public interests of [foreign government]. Please be advised that these articles constitute "political activity" by you on behalf of [foreign government].

Additionally, allegations were made in public source documents that you and another journalist received payments from the [foreign government] Embassy to write articles favorable to [foreign ambassador]. Although one paper reported that you deny this, we request you reply to this allegation. We also request you to advise us if you receive money for your services to [foreign government] and if so, in what amount.

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

Sincerely,

Heather H. Hunt, Chief
Registration Unit
Counterespionage Section