



U.S. Department of Justice

National Security Division

Counterintelligence and Export Control Section

Washington, DC 20530

September 5, 2019

By FedEx

[addressee deleted]

Re: Advisory Opinion Pursuant to 28 C.F.R. § 5.2

Dear [name deleted]:

This is in reference to your letter of June 26, 2019, in which you request an advisory opinion, pursuant to 28 C.F.R. § 5.2, regarding the possible obligation of your firm, [US organization], to register pursuant to the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 *et seq.* (“FARA” or the “Act”). Based upon the representations in your letter, we have determined that you have an obligation to register under FARA.

In your letter, you stated that [US organization] was formed to provide strategic support to [foreign political party], a political party in [foreign country]. You indicated that its activities will include fundraising for [foreign political party], educating [people of foreign country descent] in the United States about “the prevailing situation in [foreign country],” and seeking to register additional members. In addition, you stated that [US organization] will seek contributions from its members that will be transferred to [foreign political party].

Generally speaking, pursuant to FARA, a party must register as an “agent of a foreign principal” if it acts “at the order, request, or under the direction or control of a foreign principal,” and within the United States:

- (i) engages in political activities for or in the interests of such foreign principal;
- (ii) acts as a public relations counsel, publicity agent, information-service employee or political consultant for or in the interests of such foreign principal;
- (iii) solicits, collects, disburses, or dispenses contributions, loans, money, or other things of value for or in the interest of such foreign principal; or
- (iv) represents the interests of such foreign principal before any agency or official of the Government of the United States.

See 22 U.S.C. § 611(c)(1).

[Foreign political party] is a “foreign principal,” which the Act defines in pertinent part as a “foreign political party.” 22 U.S.C. §611(b)(1). [US organization]’s proposed activities would constitute engaging in “political activities”¹ because [US organization] would be seeking

¹ The term “political activities” means any activity that the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the

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to influence a section of the U.S. public with reference to the political or public interests, policies, or relations of a government of a foreign country or foreign political party, through its efforts to educate [persons of foreign country decent] in the United States concerning “the prevailing situation in [foreign country].” In addition, [US organization]’s fundraising efforts for [foreign political party] would constitute the solicitation, collection and disbursement of contributions and money pursuant to Section 611(c)(1)(iii).

Accordingly, for the foregoing reasons, we find that [US organization] is obligated to register under FARA and to disclose its activities, receipts and disbursements of money, in accordance with FARA’s requirements. We ask that you effect [US organization]’s registration within 30 days of the date of this letter. We will treat your submission as confidential in accordance with 28 C.F.R. § 5.2(m).

If you have any questions regarding this matter please contact [name deleted] by telephone at (202) 233-0776.

Sincerely,

Brandon L. Van Grack
Chief, FARA Unit

public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or foreign political party. 22 U.S.C. § 611(o).