



U.S. Department of Justice

National Security Division

Washington, DC 20530

February 1, 2012

[addressee deleted]

Dear [name deleted]:

This will acknowledge receipt of your letter of November 20, 2011, concerning your possible obligation to register under 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 [foreign individual, a professed candidate for the President of [foreign country] in 2012. We have reviewed your earlier correspondence to President Barack Obama, Secretary of State Hillary Clinton, the National Security Council, and the Central Intelligence Agency recommending [foreign individual] as friendly to the interests of the United States. [name deleted], an attorney with my staff, has talked to you twice about your activities on behalf of [foreign individual].

FARA is a disclosure statute that requires persons acting as agents of foreign principals in 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 purpose of the Act is to protect the national defense and foreign relations of the United States, ensuring the American public and its law makers know the sources of information intended to sway U.S. public opinion, policy, and laws.

An “agent of a foreign principal” is defined in 22 U.S.C. § 611(c)(1) in pertinent part as any person who acts as an agent or representative or acts at the request or under the direction and control of a foreign principal. A “foreign principal” includes a foreign country, foreign political party, or an individual located outside of the United States. Furthermore, 22 U.S.C. § 611(o) explains political activity is conduct engaged to influence any government agency, government official or member of the public: (1) with reference to formulating, adopting, or changing the foreign or domestic policies of the United States, or (2) with reference to the political interests, policies or relations of a foreign country or a foreign political party.

Based upon your letters to government officials and your conversations with [name deleted], we consider you an agent of a foreign principal. FARA requires you to register with the Attorney General if you engage in political activity in the United States on behalf of [foreign individual], the [foreign government] or [foreign individual]'s political party. However, 22 U.S.C. § 613(d) (1) and (2) exempts certain commercial transactions from the requirements of the Act. So long as you limit your activities on behalf of [foreign individual] in the United States to nonpolitical activities or commercial transactions, you are not required to register under FARA.

If the nature of your activities on behalf of [foreign individual] changes, you may be required to register under FARA. We enclose for your information a copy of the Act and pertinent regulations. If you have any questions, please call me at (202) 233-0776.

Sincerely,

Heather H. Hunt, Chief
Registration Unit
Counterespionage Section