



**U.S. Department of Justice**

National Security Division

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*Washington, DC 20530*

October 19, 2010

[addressee deleted]

Dear [name deleted]:

This is in reference to your registration documents received by this office on August 12, 2010, as well as to your telephone conversation of September 10, 2010 with [name deleted] of my staff, seeking guidance concerning your firm's possible obligation or exemption from registration under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 *et seq.* (FARA or the Act).

You indicated that your firm, a [US based consulting company], represents [US based international air cargo transport company] that is 100% foreign owned and controlled by [three foreign entities and individuals]. Your firm's representation will include meetings with U.S. government officials in an effort to communicate your client's interests and concerns as potentially impacted by U.S. laws, regulations and policies.

Based on the information provided in your registration filings and from the telephone conversation identified above, so long as the firm's activities are limited to the furtherance of the bona fide commercial, industrial or financial operations of the foreign corporation and are not directed by a foreign government or foreign political party, and do not directly promote the public or political interests of a foreign government or foreign political party, registration under the Lobbying Disclosure Act of 1995, 2 U.S.C. § 1605 (LDA) is appropriate. Since you indicated to [name deleted] that your firm is also currently registered under the LDA for this client and activity, it is exempt from registration under FARA pursuant to Section 613 (h) of the Act.

In the future, if the firm's activities do not further the bona fide commercial interests of the foreign corporation, but rather, further the political or public interests of a foreign government or foreign political party, registration under FARA will be required. The question of obligation or exemption under FARA must be revisited as the nature of the relationship changes from time to time. If the nature of your firm's activities within the United States on behalf of [international air cargo transport company] changes in any way, or if your firm begins representation of another foreign principal, please contact this office for further guidance.

As indicated, so long as you have registered properly under LDA, you are not required to register under FARA. Therefore, we are returning your registration documents, as well as your original personal check dated August 12, 2010 [text deleted] in the amount of \$305.00. If you have any questions concerning this matter, please contact me on (202) 514-1216.

Sincerely,

Heather H. Hunt, Chief  
Registration Unit  
Counterespionage Section  
National Security Division