



U.S. Department of Justice

National Security Division

Washington, DC 20530

May 20, 2010

[addressee deleted]

Re: [text deleted]

Dear [name deleted]:

This is in response to your letter of [date deleted] requesting an opinion from the Department of Justice concerning whether an attorney representing a foreign principal before certain components of the United States Congress conducting an investigation, must register under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. Section 611 *et seq.* (FARA or the Act). Your letter omits certain items that are necessary in order for the Department to issue an advisory opinion concerning application of the Act.

The regulations that supplement and explain the provisions of the Act are found in 28 C.F.R. Part 5, Sections 5.1-5.1101. Your request for an enforcement opinion, known as a Rule 2 advisory opinion, is located in Section 5.2. The Rule 2 request, among other requirements, must be submitted by a party to the transaction or the party's attorney, applies only to these parties, and must contain the following information: (1) a description of the entire transaction and full disclosure of the identity of all foreign principals and agents, and the nature of the Congressional investigation; (2) any articles of incorporation or partnership agreements for the foreign principal; (3) a copy of the existing or proposed written contract or a full description of the terms and conditions of each existing or proposed oral contract between the parties; (4) a certification by the requesting party that the review request contains "a true, correct and complete disclosure with respect to the proposed conduct," and (5) the mandatory fee of \$96.00 for the Rule 2 advisory opinion, Section 5.5 (d)(10).

If you have any questions, please contact [name deleted] at (202) 514-1216.

Sincerely,

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