



**U.S. Department of Justice**

National Security Division

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Washington, DC 20530

May 20, 2010

[addressee deleted]

Dear [name deleted]:

This is in reference to your letter of April 13, 2010 requesting an opinion as to whether you are required to register pursuant to the Foreign Agents Registration Act of 1938, as amended, 22.U.S.C. 61I, *et seq.* (FARA or the Act) if you enter into a contract with a [foreign individual] running for government office in [foreign country]. We have considered the information you provided and have determined that you do not have an obligation to register under FARA.

You stated in your letter that your consulting firm may be offered a contract to assist [foreign individual] in [date]. [He/She] is seeking election to [political office in foreign country], in [date]. [His/Her] campaign may be funded by the [foreign political party]. You will either be paid by [foreign political party] or the candidate.

You indicated that your function would be “to advise [him/her] on the social networking tools and methods used by President Obama and other U.S. political candidates” to run [his/her] [foreign country] election campaign. You will introduce [him/her] to U.S. government officials or consultants to teach [him/her] the methods used in the United States. The meetings are for the purpose of her obtaining this information and not to influence U.S officials or any sector of the U.S. public about U.S. domestic or foreign policy, or the foreign policy or public interests of [foreign country]. The information obtained by [him/her] at the meetings are solely for use in [his/ her] campaign in [foreign country].

Based on representations in your letter, while [foreign individual] and [foreign political party] are foreign principals under Section 1(b) of the Act, in these circumstances the Department does not consider that you are an “agent of a foreign principal” as that term is defined in the Act, because the activities are not among those enumerated in Section 1(c)(1) (i) - (iv). Accordingly, registration is not required.

Please note that the question of obligation or exemption must be revisited as the nature of the relationship changes from time to time. If the nature of your services on behalf of any foreign entity changes in any way, you should contact this Unit immediately in order that we may determine whether your organization has incurred an obligation to register under FARA. If you have any questions, please contact me at (202) 514-1216.

Sincerely,

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