



U.S. Department of Justice

National Security Division

Washington, DC 20530

November 8, 2012

[addressee deleted]

Re: Rule 2 Request for [text deleted]

Dear [name deleted]:

This is in response to your letters of October 3, 2012, October 12, 2012, and attachments, responding to my letter of September 26, 2012, concerning the possible obligation of the [US organization] to register pursuant to the Foreign Agents Registration Act, 22 U.S.C. § 611 *et seq.* (FARA or the Act). Your original request for a Rule 2 opinion, 28 C.F.R. § 5.2, was made in your letter of August 13, 2012.

In our September 26, 2012 letter, we stated that the [text deleted]. [text deleted] thank you for advising us the donation to [US organization] will come from [foreign corporation] [text deleted].

You state that [US organization], incorporated in Washington, DC, has applied to the Internal Revenue Service for tax exempt status under 26 U.S.C. § 501(c)(3). It is a nonprofit research institution that will study [text deleted] related to the U.S., [foreign country], and the [foreign countries]. You indicated that [US organization] will not engage in any political activities as defined in 22 U.S.C. § 611(c) (i-iv), and is not affiliated with the [foreign government] or any foreign political party.

You indicated that [foreign corporation] is a [foreign country] corporation, which is funded by both public and private donations, and it has no affiliation with the [foreign government] or any foreign political party. One of its main purposes is to create [a financial center] in [foreign city]. There is no indication in your correspondence that it will exercise direction and control over [US organization].

Based upon the representations in your letters, [US organization] may receive the grant without incurring an obligation to register under FARA. We do not consider [US organization] as an agent of a foreign principal as set forth under 22 U.S.C. § 611(c) since it will not engage in "political activity" and not act as a "public relations counsel," "publicity agent," "information service employee," or "political consultant" on behalf of a foreign principal within the United States.

If [US organization]'s relationship with [foreign corporation] or any other foreign entity changes in any way, you should contact this Unit immediately in order that we may determine whether your client has an obligation to register under the Act. If you have any further questions, please call me at (202) 233-0777.

Sincerely,

Heather H. Hunt, Chief
Registration Unit
Counterespionage Section