



U.S. Department of Justice

National Security Division

Counterintelligence and Export Control Section

Washington, DC 20530

January 28, 2021

Via Email

[Redacted]

Re: Request for Advisory Opinion Pursuant to 28 C.F.R. § 5.2

Dear [Redacted]:

We write in response to your letter addressed to this office, requesting an advisory opinion, pursuant to 28 C.F.R. § 5.2(a), advising whether you have an obligation to register pursuant to the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 *et seq.* (“FARA” or the “Act”). Based on your representations, we have determined that you are not obligated to register under the Act.

Under FARA, a party must register if it is an “agent of a foreign principal,” that is, if it acts “in any . . . capacity at the order, request, or under the direction or control, of a foreign principal and within the United States, “engages in political activities” or other specified activities “for or in the interests of such foreign principal.” 22 U.S.C. § 611(c)(1).

In your submission, you identify yourself as a foreign principal and note that you were born in the United States. Based upon that representation and the description of the activities in which you will be engaged, we find that you do not meet the definition of “agent of a foreign principal” under FARA, and therefore, you are under no obligation to register.

We will treat your submission in accordance with 28 C.F.R. § 5.2(m).

Sincerely,

Jennifer K. Gellie

Jennifer Kennedy Gellie
Chief
FARA Unit