



U.S. Department of Justice

National Security Division

Counterintelligence and Export Control Section

Washington, DC 20530

June 29, 2021

VIA EMAIL

[Addressee]
[Address]
[email address]

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

Dear [Addressee]:

This is in reference to your letter dated May 26, 2021 (the “May 26 Letter”), in which you request an advisory opinion, pursuant to 28 C.F.R. § 5.2, as to whether you are obligated to register under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 et seq. (“FARA” or the “Act”) for administrative and financial activities you will engage in on behalf of the [Addressee] Estate (the “Estate”).

In the May 26 Letter, you disclose that you will be engaged in certain administrative and financial activities on behalf of the Estate, to include acting as “the administrative agency for trusts, banking and total indemnity, transfer agent, and total firm control, as well as private banking ... and performing all duties and responsibilities of the ‘authorized representative’.”

The purpose of FARA is to inform the American public of the activities of foreign agents working for foreign principals to influence U.S. government officials and/or the American public with reference to the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a foreign country or foreign political party.

Generally speaking, a party is an “agent of a foreign principal” who must register under FARA if it acts “in any . . . capacity at the order, request, or under the direction or control, of a foreign principal or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal and who directly or through any other person,” and within the United States:

- (i) engages in political activities for or in the interests of such foreign principal;
- (ii) acts as public relations counsel, publicity agent, information-service employee or political consultant for or in the interests of such foreign principal;

- (iii) solicits, collects, disburses, or dispenses contributions, loans, money, or other things of value for or in the interest of such foreign principal; or
- (iv) represents the interests of such foreign principal before any agency or official of the Government of the United States.

See 22 U.S.C. § 611(c)(1).

The May 26 Letter asks whether you would be required to register for engaging in the above-described activities on behalf of the Estate. We have determined that you would not be obligated to register under FARA because, in engaging in the above-described administrative and financial activities on behalf of the Estate, you are not engaged in any of the registrable activities enumerated above. *See* 22 U.S.C. § 611(c)(1).

Our conclusion is limited to the facts and circumstances outlined in the May 26 Letter, and may change should you engage in any of the enumerated activities on behalf of a foreign principal. If that were to occur, you should contact us immediately.

We will treat your submission in accordance with 28 C.F.R. § 5.2(m). Please contact this Unit at (202) 233-0776, if you have any questions.

Sincerely,

/s/ Jennifer K. Gellie

Jennifer Kennedy Gellie
Chief, FARA Unit