

THE NRA

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AND RUSSIA

HOW A TAX-EXEMPT ORGANIZATION BECAME A FOREIGN ASSET



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Introduction & General Overview of the Investigation

The Finance Committee has exclusive jurisdiction in the U.S. Senate over tax laws, including laws related to tax-exempt organizations. The National Rifle Association of America (NRA) is classified as a social welfare organization exempt from tax under Internal Revenue Code (IRC) section 501(c)(4).¹ The NRA maintains an affiliated charitable foundation (The NRA Foundation), a voter registration fund (NRA Freedom Action Fund), a special contribution fund (NRA Whittington Center), and a legal defense fund (NRA Civil Rights Defense Fund), all of which are exempt from tax under section 501(c)(3) and are eligible to receive tax-deductible charitable donations. In addition, NRA maintains a political arm (NRA Political Victory Fund), which is exempt from tax under section 527.

The Finance Committee has historically engaged in robust oversight of the tax-exempt sector and related tax-exempt issues. These include a multi-year bipartisan investigation into concerns over IRS processing of 501(c)(3) and (c)(4) applications submitted by political advocacy organizations, which resulted in a bipartisan 2015 report;² a multi-year investigation into nonprofit hospitals;³ an investigation into tax-exempt credit unions;⁴ an investigation into museums operated as private foundations;⁵ an investigation into certain tax-exempt workers' organizations;⁶ an investigation into the Association of Community Organizations for Reform Now (ACORN);⁷ an investigation into the Statue of Liberty-Ellis Island Foundation;⁸ an investigation into syndicated conservation easement transactions;⁹ an investigation into certain veterans' organizations;¹⁰ an investigation into political activity by certain tax-exempt

¹ National Rifle Association of America 2017 Form 990 Public Filing.

² U.S. Finance Committee Bipartisan Investigative Report: The Internal Revenue Service's Processing of 501(c)(3) and 501(c)(4) Applications for Tax-Exempt Status Submitted by "Political Advocacy" Organizations from 2010 - 2013; www.finance.senate.gov/release/finance-committee-releases-bipartisan-irs-report.

³ Finance Committee Investigation into Nonprofit Hospitals, May 2005, www.finance.senate.gov/chairmans-news/grassley-releases-non-profit-hospital-responses-expresses-concern-over-shortfalls-in-charity-care-community-benefit; February 2018, www.finance.senate.gov/chairmans-news/hatch-grassley-press-irs-for-answers-on-nonprofit-hospitals.

⁴ Finance Committee Investigation into Credit Unions, January 2018; www.finance.senate.gov/imo/media/doc/1.31%20Credit%20Union%20letter.pdf.

⁵ Finance Committee Investigation into Museums Operated as Private Foundations, November 2015; www.finance.senate.gov/imo/media/doc/SFC%20Letter%20to%20Museums.pdf

⁶ Finance Committee Investigation into Workers' Organizations, April 2015; www.finance.senate.gov/chairmans-news/hatch-and-ryan-ask-irs-to-clarify-tax-exempt-status-of-worker-centers#_ftn1.*

⁷ Finance Committee Investigation into the Association of Community Organizations for Reform Now (ACORN) September 2009; www.finance.senate.gov/ranking-members-news/finance-committee-tax-staff-review-of-acorn-tax-exempt-status.

⁸ Finance Committee Review of Charitable Governance Problems and Best Practices Relating to the Statue of Liberty-Ellis Island Foundation, August 2004; www.finance.senate.gov/chairmans-news/grassley-on-reported-problems-at-the-statue-of-liberty-foundation.

⁹ *Wall Street Journal*, Thousands of Investors Got Big Tax Breaks for Land-Rights Donations, IRS Finds: Lawmakers Scrutinize Conservation Easements that Let People Profit Quickly, March 14, 2018, www.wsj.com/articles/thousands-of-investors-got-big-tax-breaks-for-land-rights-donations-irs-finds-1521053766; Finance Committee Press Release: Grassley, Wyden Launch Probe of Conservation Tax Benefit Abuse, March 27, 2019, www.finance.senate.gov/chairmans-news/grassley-wyden-launch-probe-of-conservation-tax-benefit-abuse.

¹⁰ Finance Committee Investigation into Certain Veterans' Organizations, May 2012; www.finance.senate.gov/chairmans-news/baucus-burr-investigate-nonprofit-for-exploiting-veterans-taxpayers-abusing-tax-exempt-status.

organizations;¹¹ an investigation into universities with large endowments;¹² an investigation into lobbyist Jack Abramoff's use of tax-exempt organizations culminating in a 2006 report;¹³ an investigation into tax-exempt organizations that support terrorism;¹⁴ and a multi-year investigation into abuse of tax laws by The Nature Conservancy, culminating in a 2005 report on the abuse of conservation incentives;¹⁵ among others.

Senate Finance Committee Ranking Member Ron Wyden, D-Ore., in February 2018 began an inquiry of the NRA following public reporting of potential improper activities related to financial contributions and its role in the 2016 presidential election. He subsequently referred information he obtained and related communications with the NRA to the Federal Election Commission.¹⁶ On July 15, 2018, Maria Butina was arrested in Washington, D.C., and charged by the federal government with conspiracy to act as an agent of the Russian Federation within the United States without prior registration.¹⁷ Butina is a Russian national who traveled to the United States with Russian government official Alexander Torshin for NRA events beginning in 2014. She moved to the United States on a student visa in 2016.¹⁸ Butina's actions are alleged to be part of an effort to gain political access within the United States utilizing a "GUN RIGHTS ORGANIZATION," understood to be the NRA.¹⁹ In April 2019, she pleaded guilty to one count of conspiracy to act as a foreign agent in the United States without registering with the U.S. Department of Justice (DOJ) and was sentenced to 18 months in prison.²⁰

In its case against Butina, the DOJ outlined a conspiracy in which she and her Russian government handler utilized the NRA to gain access to American conservative organizations on behalf of the Russian Federation. DOJ filings make clear that Butina worked at the direction of a "high-level official in the Russian government" who "was previously a member of the legislature of the Russian Federation and later became a top official at the Russian Central Bank."²¹ The Russian official is widely understood to be

¹¹ Finance Committee Investigation into Political Activity by Tax Exempt Organizations, September 2010; www.finance.senate.gov/chairmans-news/baucus-calls-on-irs-to-investigate-use-of-tax-exempt-groups-for-political-activity.

¹² Finance Committee Investigation into Universities with Large Endowments, January 2008; www.finance.senate.gov/release/baucus-grassley-write-to-136-colleges-seek-details-of-endowment-pay-outs-student-aid.

¹³ Finance Committee Investigation into Jack Abramoff's use of Tax-Exempt Organizations, October 2006; www.finance.senate.gov/imo/media/doc/109-68.pdf.

¹⁴ Finance Committee Investigation into Tax Exempt Organizations Supporting Terrorism, December 2003; www.finance.senate.gov/chairmans-news/records-sought-about-tax-exempt-organizations-for-committees-terror-finance-probe.

¹⁵ Finance Committee Investigation into The Nature Conservancy, July 2003; www.finance.senate.gov/release/grassley-seeks-answers-on-nature-conservancy-donations-deals.

¹⁶ Finance Committee Press Release: Wyden Refers NRA Correspondence to the Federal Election Commission, May 3, 2018; www.finance.senate.gov/ranking-members-news/wyden-refers-nra-correspondence-to-the-federal-election-commission.

¹⁷ Department of Justice Press Release, July 16, 2018; www.justice.gov/opa/pr/russian-national-charged-conspiracy-act-agent-russian-federation-within-united-states.

¹⁸ *Washington Post*, "Timeline: The odd overlap of Maria Butina, the gun-rights movement and the 2016 election," July 16, 2018; www.washingtonpost.com/news/politics/wp/2018/07/16/timeline-the-odd-overlap-of-maria-butina-the-gun-rights-movement-and-the-2016-election/.

¹⁹ Department of Justice Press Release: Russian National Charged in Conspiracy to Act as an Agent of the Russian Federation Within the United States, July 16, 2018; Affidavit in support of an application for a criminal complaint, www.justice.gov/opa/press-release/file/1080766/download.

²⁰ CNN, Alleged Russian agent Maria Butina sentenced to 18 months in prison on conspiracy charge, April 27, 2019; www.cnn.com/2019/04/26/politics/maria-butina-sentencing/index.html.

²¹ Department of Justice Press Release, July 16, 2018; www.justice.gov/opa/pr/russian-national-charged-conspiracy-act-agent-russian-federation-within-united-states.

Alexander Torshin, who served in the Russian Federation's legislature from 2001 to 2015 before becoming deputy governor of the Central Bank of Russia.²²

In its sentencing memo for *United States of America v. Mariia Butina* (also referred to as Maria Butina), the DOJ asserted that Butina and Torshin's conspiracy was a years-long campaign to infiltrate American political organizations to benefit the Russian Federation:

The conspiracy in which Butina engaged was ambitious: she—with the backing of a Russian government official—sought to establish unofficial lines of communication between Russia and Americans having power and influence over U.S. politics and to use those lines of communication for the benefit of the Russian Federation...Throughout the conspiracy's existence, as explained more fully below, Butina was keenly aware that portions of her work were being reported to the wider Russian government beyond Russian Official and that factions within the Russian government would be interested in the 'valuable contacts' she was developing.²³

The minority staff investigation confirms and further illuminates many aspects of this effort by Russia, with a specific focus on the role that the NRA, its officers, board members, and donors played in Butina and Torshin's conspiracy. Specifically, the investigation documents the degree to which the NRA and its leadership were aware of, and cooperated with, Butina and Torshin to provide them access to the NRA and other domestic organizations. For example, NRA Board member and former NRA President David Keene and his wife, Donna Keene, played a major role in facilitating access by Butina and Torshin to the organization's leadership.²⁴ Donna Keene, who was instrumental in planning an NRA delegation's 2015 travel to Russia, confirmed to participants that relationship building with Russian government officials was "NRA business" and that she and her husband had spent nearly a decade developing these relationships.²⁵

Butina in January 2015 emailed the Keenes to inform them of Torshin's appointment to the Central Bank of Russia. In her email, Butina explained that Torshin's appointment to the Central Bank was "the result of a 'big game' in which he has a very important role," but claimed she could only elaborate on this further in person. The email also explained that his appointment would make it easier for Torshin to travel

²² *Bloomberg*, NRA-Linked Russia Central Banker Retires, November 30, 2018;

www.bloomberg.com/news/articles/2018-11-30/nra-linked-russia-central-banker-retires-as-aide-nears-u-s-deal;

According to public reporting, Torshin was first introduced to then-president of the NRA David Keene in 2011 by a U.S. attorney. Butina accompanied Torshin to the United States in 2014 for the NRA's annual meeting in Indianapolis, Indiana. *The Tennessean*, Nashville lawyer who introduced Russian operative to the NRA has ties to Blackburn, March 20, 2018; www.tennessean.com/story/news/2018/03/20/russia-nashville-lawyer-marsha-blackburn/431448002; *Townhall*, Part 2: Fighting For Gun Rights in Russia and The Ability For Women to Survive, May 7, 2014; <https://townhall.com/columnists/katiepavlich/2014/05/07/part-2-fighting-for-guns-rights-in-russia-and-the-ability-for-women-to-survive-n1834584>.

²³ United States' Memorandum in Aid of Sentencing at 4, *United States v. Mariia Butina*, No. 18-CR-218-TSC (D.D.C. Apr. 19, 2019) <https://assets.documentcloud.org/documents/5972875/4-19-19-US-Sentencing-Memo-Butina.pdf>.

²⁴ David Keene served as NRA President from 2011-2013. He was first elected to the NRA Board of Directors in 2000. He resigned from his position as NRA President in 2013 shortly before he was hired by the Washington Times to serve as opinion editor. NRA ILA Press Release: David Keene elected President; Wayne LaPierre Re-elected Executive Vice President of National Rifle Association, May 2, 2011; www.nra.org/articles/20110502/david-keene-elected-president; *Politico*, David Keene, ex-NRA president, named Washington Times opinion editor, July 15, 2013; www.politico.com/blogs/media/2013/07/david-keene-ex-nra-president-named-washington-times-opinion-editor-168277.

²⁵ Donna Keene email to Allan Cors and Millie Hallow, November 13, 2015 (NRA Production #0001917).

to the United States to participate in the NRA's annual meeting and asked that Torshin be invited to the next such meeting. The email in full, reads:

Dear Dave,

I finally met Mr. Torshin today in the morning. We had very (sic) pleasant breakfast and the possibility to discuss a lot of very important questions.

I told to Mr. Torshin yours and Donna kind words. And he was very glad to hear that you have not forgotten about him and support him, despite the changes in his position. His appointment as I expected is the result of a "big game" in which he has a very important role. All the details we can discuss with you only in person, but I hasten to reassure you that this is a good change, and he is optimistic about the future.

This spring, Mr. Torshin plans to visit The NRA Annual Meeting! And now it has become easier for him than it was before. So I ask you to do him an invitation to the event. I'm incredibly glad to this news, as I think you do too (sic)!

I wish you a good day and I am waiting for your answer!

Maria²⁶

Keene promptly forwarded the email to two senior NRA staff – Nick Perrine and Millie Hallow – asking that Torshin be invited again to the NRA Annual Meeting, "as in the past."²⁷ As detailed further in this report, Butina and Torshin subsequently attended the 2015 Annual Meeting and many other events at the invitation of the NRA, its officers, board members, and donors. The NRA and those representatives provided the Russian nationals direct access to Republican Party leaders at events including its Annual Winter Board Meetings and NRA Annual Meetings, and facilitated additional access to conservative organizations like the Council for National Policy, National Prayer Breakfast, and multiple outdoor recreation and sporting goods wholesaler events.²⁸

Documents provided in the course of this investigation and those made public by the DOJ show that the Russian nationals used the NRA's December 2015 trip to Moscow to deepen personal relationships with NRA officers and representatives that they expected they would later be able to exploit in furtherance of their conspiracy. In the statement of offense included in Butina's plea agreement, the DOJ wrote:

Butina also invited powerful members of the Gun Rights Organization to Moscow to advance her agenda. Before they arrived, U.S. Person 1 provided Butina with background information on the invitees, including his assessment on their degree of political influence in the United States. The members came to Moscow in December of 2015. During the trip, the Gun Rights Organization members met with high-level Russian government officials as arranged by Russian official. Prior to the visit, Butina stressed the importance of a political program as part of the trip and asked Russian Official to set up meetings with high-level Russian politicians. After their visit, Butina sent Russian Official a message in Russian, referring to members of the Gun Rights Organization, which has been variously translated as saying, *'We should let them express their gratitude now, we will put pressure*

²⁶ Maria Butina email to David and Donna Keene, January 29, 2015 (NRA Production #0000697).

²⁷ *Id.*

²⁸ David Keene's refusal to cooperate with the investigation prevented staff from better understanding his role in and knowledge of Butina and Torshin's conspiracy.

on them quietly later,’ and ‘We should allow them to express their gratitude now, and then quietly press.’²⁹

The minority staff investigation confirms Butina and Torshin utilized a network of Russian oligarchs and high-ranking Kremlin officials to bring the NRA to Moscow with promises of lucrative business opportunities with Russian entities. The trip included meetings with weapons manufacturers that produce weaponry for the Russian military and numerous entities and individuals under United States sanction or representatives and subsidiaries of entities under sanction. Butina, at one point, offered a meeting with Vladimir Putin to ensure the trip occurred. NRA leadership and participants were explicitly told that their participation would help demonstrate to the Kremlin Alexander Torshin’s American connections. In this regard, elements of Butina and Torshin’s conspiracy resembled other Russian government efforts to gain access to western political organizations using non-government relationships and offers of personal financial incentives funneled through state-owned enterprises in exchange for political influence.³⁰

Documents produced in this investigation indicate that the Treasury Department’s Office of Foreign Assets Control (OFAC) cautioned Pete Brownell, NRA Vice President and incoming President, about meeting with individuals who OFAC has listed as Specially Designated Nationals and Blocked Persons (SDNs). The Compliance Director of Brownell’s private business determined that he was permitted to meet with sanctioned Russian nationals because he planned to do so as part of a cultural exchange in his official capacity as a member of the NRA’s delegation—a delegation that the NRA subsequently claimed was not an authorized trip.³¹ Brownell was further advised to avoid meeting with any SDN if that individual could derive a benefit from the interaction. Evidence detailed in the course of this investigation shows that Brownell did meet with sanctioned individuals and that he may have done so to discuss potential future business deals.

NRA leadership in 2019 publicly distanced itself from the delegation’s trip, but provided no documentation through the course of this investigation to demonstrate that it took action to discourage or prevent its officers from using organization resources to explore business opportunities or to meet with sanctioned individuals and entities. The NRA had full knowledge of the Russian individuals and entities its board members, officers and donors planned to meet in Moscow. In fact, the NRA directly facilitated Brownell’s effort to travel to Moscow early to explore business opportunities with Russian weapons manufacturers. The NRA at one point also reimbursed Brownell for expenses he incurred on behalf of

²⁹ Statement of Offense at 3, *United States v. Mariia Butina*, No. 18-CR-218-TSC (D.D.C. Dec. 6, 2018) (via Plea Agreement), emphasis added; www.documentcloud.org/documents/5626092-US-v-Butina-Plea-Agreement-and-SOF-EXECUTED.html.

³⁰ Writing for *Just Security*, former Deputy Assistant Secretary of Defense Dr. Michael Carpenter outlined how the Russian Federation has relied upon non-official relationships to infiltrate western political organizations and the use of Russia’s state-owned enterprises to offer foreign government officials financial incentives in return for influence: “Russia’s elite infiltration operations are efforts to secure access to key Western political, media, business and cultural elites. Although some of these operations are managed by Russia’s intelligence services, they are just as often carried out by oligarchs, politicians, academics or even organized crime bosses who have connections to the ruling elite. To maintain plausible deniability, the Kremlin, in fact, prefers to leverage non-official relationships whenever possible... Finally, a third model of conducting influence operations involves using Russia’s state-owned enterprises—Rosneft, Gazprom, Rosatom, Rostech, etc.—to offer foreign government officials preferential deals in return for influence;” *Just Security*, Countering Russia’s Malign Influence Operations, May 29, 2019; www.justsecurity.org/64327/countering-russias-malign-influence-operations/.

³¹ Pete Brownell serves as President and CEO of Brownells, Inc., a firearm accessories and parts supplier based in Montezuma, Iowa. Brownells, Inc., “About Brownells,” last accessed September 5, 2019; www.brownells.com/aspx/general/about_brownells.aspx; Bloomberg Company Profile, last accessed September 5, 2019; www.bloomberg.com/profile/company/9337105Z:US.

NRA donor and business associate Jim Liberatore, who joined the delegation expressly to explore commercial opportunities in Russia.

In addition to scrutinizing the December 2015 trip to Moscow, committee minority staff determined that over a period of years, NRA officers and board members directed organization resources toward facilitating the activities of Butina and Torshin in the United States. NRA resources appear to have been used to pay for membership and registration fees to third party events for the Russian nationals as well as to arrange for transit to and lodging for many of those events throughout 2015 and 2016. These activities, together with the organization's travel to Moscow to demonstrate Torshin's American influence to the Kremlin, indicate that the organization was engaged in a years-long effort to facilitate Butina and Torshin's domestic activity. The scope of the NRA's support for these Russian activities—activities that the DOJ indicted as an illegal foreign government-sponsored influence scheme—raise concerns about whether the activity that the NRA, its officers, and board members engaged were in furtherance of the organization's exempt purpose.

The minority staff investigation confirms that members of the NRA delegation participated in the Moscow trip primarily or solely for the purpose of advancing personal business interests, rather than advancing the NRA's tax-exempt purpose. The findings of this report suggest that NRA officials' use of the organization to advance personal business interests may have exposed the NRA to further involvement by Butina and Torshin. In addition, use of NRA's tax-exempt funds and resources in this manner raise concerns about the use of tax-exempt resources for a non-exempt purpose, private inurement prohibited under IRC section 501(c)(4), and prohibited excess benefit transactions under section 4958. These findings should be considered in the context of other potentially improper conduct by the NRA to benefit its officers or board members.

The IRS has long held that illegal activity conducted by a section 501(c)(4) tax-exempt entity or by an official in his official capacity can jeopardize an organization's tax exemption. In addition, IRS has previously stated that certain communications by a tax-exempt organization with foreign entities in violation of federal law may be sufficient to disallow tax exemption.³² There have been numerous press reports alleging additional instances of potential misuse of tax-exempt resources and potential private inurement by the NRA. The Ranking Member has initiated an additional inquiry into these allegations and the minority staff will continue to pursue that investigation.

Senate Finance Committee minority staff made the following findings:

- Contrary to assertions that the NRA did not sanction the trip, NRA executive staff and resources were used to plan the delegation's travel to Moscow in December 2015. In some cases, NRA staff planned critical aspects of the delegation's travel, such as securing visas, making detailed travel itineraries and working with travel agents to procure flights. Then-NRA President Allan Cors formally designated two members of the delegation, David Keene and Joe Gregory, as representatives of the NRA in an NRA letter to Alexander Torshin. The NRA initially reimbursed some trip expenses paid for by Brownell. In 2018, after Senator Wyden first asked the NRA about its relationship to Torshin, the organization sought reimbursement from Brownell to get trip expense payments "off the NRA's books."
- Then-NRA President Cors, his staff, and NRA delegation participants were informed before the trip that the true purpose of their travel to Moscow was to demonstrate to the Kremlin Alexander

³² See policy discussion at page 9.

Torshin's American connections by bringing the "head of the most powerful political organization in America" to Russia.

- The NRA delegation met with a host of senior Russian government officials, including the Deputy Secretary of the Security Council, the Foreign Minister, the Deputy Prime Minister in charge of the defense industry, and a Special Assistant to Putin. At least two of the Russian government officials appeared on the Treasury Department's Specially Designated Nationals and Blocked Persons List (SDNs) at the time of the NRA trip. The delegation also met with numerous oligarchs closely connected to the Kremlin and with an individual Butina identified as Putin's "campaign manager."
- Contrary to assertions that the purpose of the trip was solely to advance gun rights issues, key participants in the Moscow trip participated primarily or solely because of the business opportunities it presented. Then-NRA Vice President Brownell and Butina began discussing Russian business opportunities as early as January 2015. She later used his personal business interests to entice him to join the delegation. The pair traveled Russia together for three days to explore personal business opportunities before the rest of the NRA delegation arrived. They visited at least one facility that manufactured equipment for the Russian military. These meetings were crucial to Brownell's involvement, who said at the time "I am not interested in attending if [it is] just an NRA trip." Then-Outdoor Channel CEO Jim Liberatore, an NRA donor and business associate, joined the NRA delegation and confirmed to the Ranking Member that his interest in the trip was purely commercial. The NRA reimbursed thousands of dollars of Liberatore's Moscow expenses.
- Despite former NRA President Cors' claim that he withdrew from the trip over concerns about the organization's engagement with Russian nationals, he participated in a series of contemporaneous meetings and communications with then-Russian Ambassador Sergey Kislyak. Kislyak engaged in a parallel influence campaign to associate with NRA leadership and Cors welcomed the relationship. This relationship appears to have continued during and after the NRA delegation's trip to Moscow.
- The NRA provided Butina and Torshin broad access to its events from 2014 to 2016, where the pair could have met members of Congress, governors, and 2016 presidential candidates. In fact, former presidential candidate Scott Walker confirmed he met Butina at the NRA's 2015 Annual Meeting. Brownell confirmed to minority staff that he introduced Donald Trump, Jr. to Butina and Torshin at the NRA's 2016 Annual Meeting.
- The NRA, its officers, board members, and representatives also facilitated Butina and Torshin's access to multiple additional domestic organizations and events where they would have had access to conservative political leaders, including the Council for National Policy, the National Prayer Breakfast, the National Sporting Good Wholesalers Association, and Safari Club International.

Current Law Relating to Tax-Exempt Organizations

Organizations described in IRC section 501(c)(3) are generally exempt from federal income tax and are eligible to receive tax-deductible contributions. Organizations described in section 501(c)(4) must be organized primarily for the promotion of social welfare, however, contributions to section 501(c)(4) organizations are not eligible for a federal charitable deduction. In order to qualify as a tax-exempt organization under section 501(c)(3) or (c)(4), organizations must meet certain requirements related to their organization and operation. In addition, organizations exempt from tax under section 501(c)(3) and (c)(4) are subject to certain prohibitions on private inurement and misuse of tax-exempt resources. These requirements and limitations are described below.

Primary purpose test. An organization may not be treated as exempt under section 501(c)(3) if more than an insubstantial part of its activities is not in furtherance of a specified charitable purpose.³³ An organization may not be treated as exempt under section 501(c)(4) if the organization's primary activity does not promote social welfare.³⁴ Courts have held that a section 501(c)(4) organization is not entitled to continued exempt status if its non-exempt activities are "substantial" or if it is operating primarily for the benefit of its members rather than the community as a whole.³⁵

Private inurement and private benefit. Section 501(c)(3) and (4) organizations may not permit private inurement. Inurement arises whenever a person in a position to influence the decisions of an exempt organization (*i.e.*, an "insider" of the organization) receives benefits from the organization disproportionate to her contribution to the organization (*e.g.*, unreasonable compensation).³⁶ In addition, a section 501(c)(3) organization may not permit private benefit. Private benefit occurs if the assets or revenues of the organization are used to benefit an individual or entity (whether or not an insider) more than incidentally.³⁷

Both private inurement and private benefit may occur in many different forms, including, for example, excessive compensation;³⁸ payment of excessive rent;³⁹ receipt of less than fair market value in sales or

³³ Treas. Reg. sec. 1.501(c)(3)-1(c)(2).

³⁴ Treas. Reg. sec. 1.501(c)(4)-1(a)(2).

³⁵ See *Vision Serv. Plan v. United States*, No. CIVS041993LKKJFM, 2005 WL 3406321 (E.D. Cal. Dec. 12, 2005), *aff'd sub nom. Vision Serv. Plan, Inc. v. United States*, 265 F. App'x 650 (9th Cir. 2008); *Contracting Plumbers Co-op. Restoration Corp. v. United States*, 488 F.2d 684 (2d Cir. 1973).

³⁶ Treas. Reg. sec. 1.501(c)(3)-1(c)(2). For purposes of section 501, Treas. Reg. sec. 1.501(a)-1(c) defines a "private shareholder or individual" as persons having a personal and private interest in the activities of the organization.

³⁷ The relationship between inurement and private benefit was clarified by the Tax Court in *American Campaign Academy v. Commissioner*. There, the court explained that "while the prohibitions against private inurement and private benefit share common and overlapping elements, the two are distinct requirements which must independently be satisfied." The court stated that the presence of private inurement violates both prohibitions, but the absence of inurement does not mean the absence of private benefit. Inurement, then, may be viewed as a subset of private benefit. This relationship between private inurement and private benefit is important because in situations in which an individual does not rise to the level of insider within an organization, the IRS still would apply a private benefit analysis to the individual's relationship with the organization.

³⁸ *Harding Hospital, Inc. v. United States*, 505 F.2d 1068, 1072 (6th Cir. 1974).

³⁹ *Texas Trade School v. Commissioner*, 30 T.C. 642 (1958), *aff'd*, 272 F.2d 168 (5th Cir. 1959).

exchanges of property;⁴⁰ inadequately secured loans;⁴¹ other questionable loans;⁴² joint venture activities;⁴³ or conversion transactions.⁴⁴

Excise tax on excess benefit transactions (“intermediate sanctions”). In addition to the general prohibition on private inurement, IRC section 4958 imposes an excise tax penalty on certain “excess benefit transactions” between the organization and specified organization insiders, referred to for this purpose as disqualified persons.⁴⁵ An excess benefit transaction is generally a transaction where an economic benefit is provided by the organization to or for the use of a disqualified person if the value of the economic benefit provided exceeds the value of consideration (including the performance of services) received for providing such benefit. In addition, the Commissioner of the IRS may revoke the tax-exempt status of an organization that engages in one or more excess benefit transactions by reason of violating the general prohibition on private inurement under section 501(c)(3) and (4), after considering certain factors enumerated in the regulations.⁴⁶

Public Policy Doctrine and Legality Doctrine

In addition to the statutory limitations and obligations applicable to tax-exempt entities, an organization may not be eligible for tax exemption under section 501(c)(3) if a purpose of the organization is contrary to public policy or is illegal.⁴⁷ IRS has established a three-part test to determine whether an organization’s activities are consistent with exemption under section 501(c)(3): (1) whether the purpose of the organization is charitable; (2) whether the activities are not illegal, contrary to a clearly defined and established public policy, or in conflict with express statutory restrictions; and (3) whether the activities are in furtherance of the organization’s exempt purpose and are reasonably related to the accomplishment of that purpose.⁴⁸

For example, IRS has held that racial discrimination in education is contrary to Federal public policy and ruled that a private school that does not have a racially nondiscriminatory policy is not eligible for a tax exemption under section 501(c)(3).⁴⁹ In *Bob Jones University v. United States* the court upheld the IRS’s revocation of the university’s status under section 501(c)(3) because the institution’s racial restrictions were in violation of a clearly defined public policy against racial discrimination in education.⁵⁰ Specifically, the institution maintained a policy prohibiting interracial marriage or dating by students. In *Goldsboro Christian Schools, Inc. v. United States* the court upheld IRS’s determination that Goldsboro was not a tax-exempt organization under section 501(c)(3) because it maintained a racially

⁴⁰ *Sonora Community Hospital v. Commissioner*, 46 T.C. 519, 526 (1966).

⁴¹ *Lowery Hospital Association v. Commissioner*, 66 T.C. 850, 858-59 (1976).

⁴² *Founding Church of Scientology v. United States*, 412 F.2d 1197, 1202 (Ct. Cl. 1969), *cert. denied*, 397 U.S. 1009 (1970).

⁴³ Although charitable organizations are not prohibited from entering into joint ventures, the presence of a for-profit partner may raise private inurement and private benefit issues. *Redlands Surgical Services v. Commissioner*, 113 T.C. 47, 74-75 (1999), *aff’d*, 242 F.3d 904 (9th Cir. 2001).

⁴⁴ Some charitable organizations, especially in recent years hospitals and educational organizations, convert between charitable to for-profit status, resulting in significant amounts of charitable assets being converted to for-profit uses. Private benefit and private inurement can occur during the conversion process, for example, if charitable assets are transferred for below fair market value.

⁴⁵ IRC § 4958.

⁴⁶ Treas. Reg. sec. 1.501(c)(3)-1(f)(2).

⁴⁷ Restatement (Second), Trusts (1959) Sec. 377.

⁴⁸ Rev. Rul. 80-278, 1980-2 C.B. 175.

⁴⁹ Rev. Rul. 71-447, 1971-2 C.B. 230.

⁵⁰ *Bob Jones Univ. v. United States*, 639 F.2d 147 (4th Cir. 1980), *aff’d*, 461 U.S. 574, 103 S. Ct. 2017, 76 L. Ed. 2d 157 (1983).

discriminatory admissions policy.⁵¹ In this case, Goldsboro accepted, for the most part, only Caucasian students under an admissions policy that was based on its interpretation of the Bible.

Similarly, IRS has held that illegal acts may disqualify an organization from tax-exempt status under section 501(c)(4). IRS regulations provide that an organization is operated exclusively for the promotion of social welfare if it is primarily engaged in promoting in some way the common good and general welfare of the people of the community.⁵² IRS has held that “[i]llegal activities, which violate the minimum standards of acceptable conduct necessary to the preservation of an orderly society, are contrary to the common good and the general welfare of the people in a community.” Accordingly, in Rev. Rul. 75-384 IRS held that an antiwar protest organization that urged demonstrators to engage in civil unrest by committing violations of local ordinances and breaches of public order did not qualify as a tax-exempt entity under section 501(c)(4).⁵³ In another example, the IRS stated that an organization communicating with, and encouraging members to communicate with, foreign governments in violation of the *Logan Act* would constitute an illegal act sufficient to disallow exempt status.⁵⁴

IRS may consult with other governmental entities to determine whether a particular activity is illegal. For example, IRS may require that conduct be judicially determined to be a violation of law before revoking a tax exemption on the basis of illegal activity.⁵⁵ In addition, the Treasury Department may consult with other appropriate agencies to determine if a violation of law has occurred or if certain conduct would constitute a violation of law. For example, in GCM 37741 and GCM 34823 IRS determined that the Treasury Department should consult with the State and Defense Departments to determine whether tax-exempt organizations’ activity of contacting and encouraging others to contact foreign government officials violated a law prohibiting certain contact between U.S. citizens and foreign governments.

As recently as 2018 the IRS has issued guidance under the legality doctrine. In Rev. Proc. 2018-5 IRS stated, presumably under a new interpretation of the legality doctrine, that it will not issue tax-exempt determination letters for section 501(c)(6) organizations organized to improve business condition for state-legal marijuana businesses operating in violation of federal law.⁵⁶

Denial and revocation of exempt status under the Public Policy and Legality Doctrines

Whether an organization’s exempt status will be denied or revoked depends on the quality and quantity of impermissible conduct, as well as the extent to which the conduct can be attributed to the organization.

Acts by the organization. IRS has stated that (1) acts conducted by organization officials under actual or purported authority to act for the organization, (2) acts by agents of the organization within their authority to act, or (3) acts ratified by the organization should be considered activities “of the organization.”⁵⁷ While acts in excess of an officer’s authority will generally not be considered an act “of the organization,” if an organization allows such actions to go unchallenged IRS will consider the act to be ratified by the organization. For example, IRS has held that an organization does not qualify for tax exemption under sections 501(c)(3) or (c)(4) if it organizes protests in which participants are encouraged to violate local ordinances and engage in breaches of public order.⁵⁸ Conversely, IRS has stated that an organization that

⁵¹ *Goldsboro Christian Sch., Inc. v. United States*, 436 F. Supp. 1314 (E.D.N.C. 1977).

⁵² Treas. Reg. §§ 1.501(c)(4)-1(a)(2)(i).

⁵³ Rev. Rul. 75-384, 1975-2 C.B. 204.

⁵⁴ GCM 37741, GCM 34823.

⁵⁵ GCM 37111.

⁵⁶ Rev. Proc. 2018-5, 2018-1.

⁵⁷ GCM 34523.

⁵⁸ Rev. Rul. 75-384, 1975-2 C.B. 204.

engages in legal, nonviolent, protests in furtherance of its exempt purpose is eligible for tax exemption under section 501(c)(3).⁵⁹ IRS has also stated that an organization simply receiving donations from a donor that engages in criminal acts will not result in revocation of tax-exempt status. However, if the receipt of the funds is itself an illegal act (for example, violations of the *Organized Crime Control Act*, the *Bank Secrecy Act*, the *Federal Election Campaign Act*, or other applicable laws), such conduct could result in revocation or denial of tax-exempt status.⁶⁰

Quality and quantity of the acts. In order to qualify for tax exemption under section 501(c)(3) the organization must be devoted exclusively to charitable purposes. To qualify for tax exemption under section 501(c)(4) an entity must be organized primarily for the promotion of social welfare. Generally, if an organization's purpose is illegal it will not qualify for tax exemption.⁶¹ However, if an organization's purpose is legal, IRS will look to the substantiality of the illegal activities—determined quantitatively or qualitatively—to ascertain whether an exemption should be disallowed or revoked.⁶² The presence of a single non-charitable purpose, if substantial in nature, will destroy the exemption regardless of the number or importance of truly charitable purposes.⁶³ IRS has stated:

To determine when disqualifying activities are present to a 'significant extent' (that is, when they become 'substantial'), more must be considered than the ratio they bear to activities in furtherance of exempt purposes. The quality of such acts are as important as the quantity. A great many violations of local pollution regulations relating to a sizeable percentage of an organization's operations would be required to disqualify it from 501(c)(3) exemption. Yet, if only .01% of its activities were directed to robbing banks, it would not be exempt. This is an example of an act having a substantial non-exempt quality, while lacking substantiality of amount. Very little planned violence or terrorism would constitute 'substantial' activities not in furtherance of exempt purposes.⁶⁴

Analysis of this report's findings

The findings in this report relate to a narrow inquiry surrounding NRA's interactions with Russian nationals, including an individual cited by the U.S. government as a foreign agent, U.S government-sanctioned individuals, and officials of the Russian government, both in the U.S. and during the NRA delegation's 2015 trip to Moscow. Further, all information contained in this report was provided to the Committee voluntarily. Numerous participants refused to respond to the Ranking Member's inquiry or failed to fully respond.

Tax law does not provide any *de minimis* allowance for private inurement, illegal acts, or violations of excess benefit transaction prohibitions. However, as stated earlier in this section, determinations of revocation or denials of tax-exempt status depend on the persistence and severity of such violations. The voluntary and limited nature of cooperation with this inquiry and its limited scope restrict the minority staff's ability to make determinations as to violations of tax law and recommended enforcement actions. This is particularly true in the numerous instances where NRA's public statements and responses clearly contradict contemporaneous documentation or where the NRA refused to provide relevant information.

⁵⁹ GCM 38415.

⁶⁰ GCM 34631.

⁶¹ *Church of Scientology of California v. Comm'r of Internal Revenue*, 83 T.C. 381 (1984), *aff'd sub nom. Church of Scientology of California v. Comm'r*, 823 F.2d 1310 (9th Cir. 1987).

⁶² See Jean Wright and Jay H. Rotz, "Illegality and Public Policy Considerations," IRS Exempt Organization Continuing Professional Educational Technical Instruction Program, 1994.

⁶³ *Better Bus. Bureau of Washington, D.C., v. United States*, 326 U.S. 279, 66 S. Ct. 112, 90 L. Ed. 67 (1945).

⁶⁴ GCM 34631.

A compulsory audit of the organization's activity would be required to fully determine the severity of the questionable actions found in this report. The committee minority staff is aware that the New York State and District of Columbia Attorneys General have initiated audits of the NRA's compliance with applicable state tax laws.⁶⁵ In addition, because determinations related to enforcement actions and revocation of tax-exempt status may depend on the persistence and quantity of impermissible acts, a broader review of NRA's activities in recent years is necessary to determine whether NRA has engaged in a persistent pattern of impermissible conduct. Former NRA officials have made additional allegations of private inurement and misuse of tax-exempt resources beyond the 2015 Russia trip.⁶⁶ Ranking Member

⁶⁵ *New York Times*, NRA President to Step Down as New York Attorney General Investigates, April 27, 2019; www.nytimes.com/2019/04/27/us/oliver-north-nra.html; *New York Times*, District of Columbia Opens New Investigative Front Into N.R.A., July 12, 2019; www.nytimes.com/2019/07/12/us/nra-district-of-columbia-investigation.html.

⁶⁶ Allegations related to NRA Executive Vice President Wayne LaPierre charging NRA ad agency Ackerman McQueen more than \$240,000 for expenses related to international trips to locations including the Bahamas, Italy, and Reno, Nevada with inadequate documentation (Wall Street Journal, NRA Chief Wayne LaPierre Questioned on Travel Expenses, May 2, 2019; <https://www.wsj.com/articles/nra-chief-wayne-lapierre-questioned-on-travel-expenses-11556834268>); allegations contained in a memo prepared by NRA accountants and presented to NRA's audit committee, including: payments to an IT consulting firm with links to NRA's CFO and Treasurer Woody Phillips, a \$1.8 million rental of a home belonging to a film producer who had a relationship with Executive Vice President Wayne LaPierre, "senior management override of internal controls" that led to violations of accounts payable procedures and HR policy, reimbursement of expenses relating to apartments and living expenses beyond the NRA HR Policy Manual stipulations and on a permanent basis (New Yorker, An Internal Memo Raises New Questions About Self-Dealing at the N.R.A., May 7, 2019; <https://www.newyorker.com/news/news-desk/an-internal-memo-raises-new-questions-about-self-dealing-at-the-nra>); allegations of extortion related to alleged financial improprieties involving more than \$200,000 in wardrobe purchases by NRA Executive Vice President Wayne LaPierre (Wall Street Journal, NRA's Wayne LaPierre Says he is being Extorted, Pressured to Resign, April 26, 2019; <https://www.wsj.com/articles/nras-wayne-lapierre-says-he-is-being-extorted-pressured-to-resign-11556314763>); allegations of financial mismanagement by NRA leadership that led NRA President Oliver North to express concerns about NRA losing its nonprofit status (The Daily Beast, NRA Suspends Top Lawyer as Infighting Roils Group, April 27, 2019; <https://www.thedailybeast.com/nra-suspends-top-lawyer-while-oliver-north-warns-group-could-lose-nonprofit-status>); allegations of multiple instances of sexual harassment by NRA senior official Josh Powell and allegations that NRA used tax-exempt funds to pay a settlement (ProPublica, The NRA Used Funds to Settle a sexual Harassment Claim Against a Top Official—and then he was Accused Again, August 28, 2019; <https://www.propublica.org/article/nra-wrestled-with-harassment-allegations-against-top-official>); allegations that the NRA approved excessive payments to advertising firm Ackerman McQueen (Wall Street Journal, NRA Files Suit against Ad Agency in Rift With Key Partner, April 15, 2019; https://www.wsj.com/articles/nra-files-suit-against-ad-agency-in-rift-with-key-partner-11555320601?mod=article_inline); allegations NRA approved excessive payments to outside law firm of William A. Brewer III (ProPublica, New Documents Raise Ethical and Billing Concerns about the NRA's Outside Counsel, July 30, 2019; <https://www.propublica.org/article/william-brewer-new-documents-raise-ethical-billing-concerns-about-nra-outside-counsel>); allegations NRA explored purchasing \$6.5 million mansion in a gated golf community for CEO Wayne LaPierre, including establishing an LLC to purchase the home and sending a \$70,000 check from NRA to the LLC in connection with the possible purchase of the home (Wall Street Journal, NRA Promised \$6.5 Million to Buy Mansion for CEO Wayne LaPierre, Document Shows, August 13, 2019; <https://www.wsj.com/articles/nra-promised-6-5-million-to-buy-mansion-for-ceo-wayne-lapierre-document-shows-11565714149>); allegations, including an official IRS complaint relating to NRA conducting business with an insurance company that also paid NRA Managing Director, Michael Marcellin nearly \$1 million, \$18 million in payments to a media production company in which Tyler Schropp, executive director of NRA's Office of Advancement held a financial interest, \$1.4 million in consulting fees paid to a company owned by Wayne Sheets, executive director of the NRA Foundation, \$3 million in NRA payments to a shooting supply company owned by NRA President Pete Brownell, a reported contract between NRA President Oliver North and NRA's longtime media consultants Ackerman McQueen, and as many as 41 employees, contractors, vendors, or consultants that have family relationships to others connected to the NRA, transfers from the 501(c)(3) NRA foundation to the

Wyden has initiated an inquiry into these allegations and the minority staff will continue to review the findings from that investigation.

Additional congressional action

Russia's interference in the 2016 elections represented an unprecedented attack on American democracy. Democratic and Republican elected officials have described Russian interference in our elections as "an act of war."⁶⁷ National security and law enforcement officials have analogized the severity of the Russian attack on our democracy to the September 11, 2001, attacks.⁶⁸

Following the attacks of September 11, 2001, the Finance Committee worked across party lines to enact code section 501(p), which provides for the suspension of the tax-exempt status of any terrorist organization or organization that supports terrorism.⁶⁹ In addition, Congress enacted changes to tax information privacy rules to expand IRS ability to share information with other agencies responsible for investigating or responding to terrorist incidents, threats, or activities.⁷⁰

This report illustrates potential vulnerabilities to foreign intelligence threats by American tax-exempt organizations. Similar to Congress's actions after the September 11, 2001, attacks Congress should explore options to reform tax-exempt laws to protect against foreign threats. Options for reform could include increased disclosure and information reporting, clarifying the definition of political activity for purposes of section 501, strengthening campaign finance rules surrounding so-called "dark money" organizations such as politically-active section 501(c)(4) organizations, and potentially establishing rules similar to those under section 501(p) to provide for the suspension of tax exempt status of any organization that has organized meetings with sanctioned individuals or engaged in similar acts.

Further, this report illustrates potential weaknesses related to potential misuse of tax-exempt resources by section 501(c)(4) organizations and how such misuse can expose an organization to improper influence. Congress should explore whether the current rules surrounding private benefit and inurement by section 501(c)(4) organizations should be strengthened. In addition, Congress should explore whether and to what extent the public policy doctrine and similar rules should apply to section 501(c)(4) organizations.

501(c)(4) NRA organization of 19.2 million in 2016 and 18.8 million in 2017, and a \$5 million loan from the NRA Foundation to the NRA 501(c)(4) organization (Form 13909 Filing (Tax-Exempt Organization Complaint (Referral)) filed by Everytown for Gun Safety Support Fund, April 18, 2019; <https://everytown.org/wp-content/uploads/2019/04/2019.04.19-Everytown-Letter-to-IRS.pdf>).

⁶⁷ *Washington Examiner*, John McCain: Russian cyberattacks 'an act of war,' December 30, 2016; www.washingtonexaminer.com/john-mccain-russian-cyberattacks-an-act-of-war; *The Hill*, Dem senator: Russian hacking may have been 'act of war,' March 2, 2017; <https://thehill.com/policy/cybersecurity/322002-dem-senator-we-should-determine-if-russian-election-hacking-was-act-of>.

⁶⁸ Former Undersecretary of Defense Michael Vickers called Russian interference in the 2016 elections, "the political equivalent of 9/11," *NBC News*, "Trump White House Has Taken Little Action To Stop Next Election Hack," June 23, 2017; former U.S. Attorney General Eric Holder compared Russian interference in the 2016 presidential election to the Pearl Harbor and Sept. 11, 2001 terrorist attacks, *BuzzFeed News*, "Eric Holder Compared Russia Election Meddling to Pearl Harbor and 9/11," February 27, 2018; former acting CIA Director Michael Morell said the 2016 Russian election-related hacking was a U.S. intelligence failure "not dissimilar to the failure of imagination that we had for 9/11," *Politico Magazine*, "Ex-Spy Chief: Russia's Election Hacking Was An 'Intelligence Failure,'" December 11, 2017.

⁶⁹ IRC § 501(p), enacted Pub. L. 108-121, Sec. 108.

⁷⁰ IRC § 6103(i)(3)(C), enacted Pub. L. 107-134, Sec. 201.

Current Law Relating to Sanctioning of “Specially Designated Nationals”

The U.S. Treasury Department’s Office of Foreign Asset Control (OFAC) administers and enforces economic and trade-based sanctions for foreign policy or national security reasons. While the United States may apply sanctions to an entire nation, sanctions can also target particular businesses, groups, or individuals owned or controlled by, or acting for or on behalf of, targeted countries. OFAC may also sanction businesses, groups or individuals identified as terrorists or narcotics traffickers regardless of country of origin. Under OFAC’s sanctions programs, Specially Designated Nationals, also called SDNs, have their assets blocked or frozen in the United States. Further, “U.S. persons,” defined as U.S. companies, U.S. citizens or residents, persons inside the United States, and branch offices of U.S. companies, “are generally prohibited from dealing with them.”⁷¹

On March 6, 2014, President Obama issued Executive Order 13660 declaring a national emergency in response to the actions and policies of the government of the Russian Federation, including the annexation of the Crimea region of Ukraine. President Obama issued three subsequent executive orders that expanded the scope of the national emergency declared in Executive Order 13660.⁷² Together, these orders authorize, among other things, the imposition of sanctions against persons responsible for or complicit in certain activities with respect to Ukraine, against officials of the government of the Russian Federation, against persons operating in the arms or related materiel sector of the Russian Federation and against individuals and entities operating in the Crimea region of Ukraine. Executive Order 13662 also authorizes the imposition of sanctions on certain entities operating in specified sectors of the Russian Federation economy, including “defense and related materials.”⁷³ Executive Order 13662 makes clear that the Treasury Secretary may designate additional entities as sanctioned in the defense area in the future.

With regard to persons identified as SDNs under the Ukraine/Russia sanctions program described in these executive orders, unless otherwise authorized or exempted, transactions by U.S. persons or in the United States are prohibited if they involve transferring, paying, exporting, withdrawing or otherwise dealing in property or interests in property of the designated entity or individual.⁷⁴ Property interests are broadly defined by OFAC to include present, future, or contingent interests, as well as services or contracts of any nature. The executive order further specifies that U.S. persons are not permitted to make a contribution or provision of funds, goods, or services by, to, or for the benefit of an SDN, or to receive any contribution or provision of funds, goods, or services from any such person.⁷⁵ Finally, the executive order clarifies that transactions that evade or avoid these prohibitions or conspires to do so are also prohibited.⁷⁶

Finally, OFAC has licensed a number of transactions with sanctioned individuals. These licenses primarily relate to the winding up of existing business with sanctioned persons and entities, personal remittances, telecommunications and mail, and other limited activities. Because it is neither illegal to

⁷¹ OFAC Website, SDN and Blocked Persons List, www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx.

⁷² Executive Order 13661 (March 17, 2014), Executive Order 13662 (March 20, 2014), Executive Order 13685 (December 19, 2014), available www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx.

⁷³ OFAC, Ukraine/Russia-Related Sanctions Program, updated June 16, 2016, www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine.pdf.

⁷⁴ OFAC, Ukraine/Russia-Related Sanctions Program, updated June 16, 2016, www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine.pdf. See also EO, 13660.

⁷⁵ Executive Order 13660, Section 4.

⁷⁶ Executive Order 13660, Section 5.

travel to Russia or to meet with an SDN, there is no need for a license or exemption for cultural exchange.⁷⁷

Analysis of the report's findings

The documents described in this report indicate that several members of the NRA's delegation to Moscow in December 2015 participated in the trip because they were considering business opportunities in Russia. Further, these documents clarify that members of the NRA's 2015 delegation had advanced knowledge that they planned to meet with two Russian officials who appeared on OFAC's SDN list during the trip. They also met with employees or representatives of entities on OFAC's SDN list or subsidiaries of entities on the SDN list, including providing interviews and the use of the NRA logo to an SDN's promotional publication. As noted above, these conclusions are based on information voluntarily provided to the Committee and, because numerous participants refused to respond or only provided partial information, is therefore incomplete. For this reason, while the interactions between NRA officials and the identified SDNs raise serious concerns, it is not possible to determine with the information available whether the actions were inconsistent with U.S. law.

Ranking Member Wyden has asked OFAC to investigate a number of the Russian entities with whom NRA officials met.⁷⁸ It is the view of committee minority staff that the information described in this report warrants further investigation by OFAC into the contacts and activities of NRA officials during and after their 2015 trip to Moscow.

⁷⁷ The Ukraine/Russia sanctions program is distinct from other sanctions regimes such as the Cuba program where travel to the island is not permitted unless it occurs under certain licensed parameters.

⁷⁸ Senate Finance Committee Press Release: Wyden Questions Top Sanctions Enforcer on Ties Between US, Russian Arms Manufacturers and Russian Oligarchs, August 2, 2018; www.finance.senate.gov/ranking-members-news/wyden-questions-top-sanctions-enforcer-on-ties-between-us-russian-arms-manufacturers-and-russian-oligarchs.

I. Official NRA Participation in the 2015 Moscow Trip

In December 2015, several NRA representatives traveled to Russia and participated in meetings with senior Russian government officials, toured Russian arms manufacturing companies, and met with members of the pro-firearms organization “Right to Bear Arms.” Maria Butina, a Russian citizen who worked with NRA representatives to plan the trip, reportedly founded the Right to Bear Arms organization in 2011.⁷⁹ Delegation participants included former NRA President (and then-NRA board member) David Keene, then-NRA Vice President (and future NRA President) Pete Brownell, NRA Golden Ring of Freedom Chairman Joe Gregory, then-Outdoor Channel CEO Jim Liberatore and his spouse, NRA supporters Arnold and Hilary Goldschlager, and former sheriff and conservative media personality David Clarke and his spouse. The NRA later denied that this trip was in any way an official NRA trip.⁸⁰

Public reporting throughout 2017 and 2018 characterized the NRA delegation’s December 2015 trip to Moscow as an NRA-authorized trip.⁸¹ In response, the NRA, through Dana Loesch, a national spokesperson for the organization, repeatedly denied that the NRA had officially sanctioned or otherwise participated in the delegation’s trip.⁸²

On January 28, 2019, the NRA publicly sought to distance itself from the delegation’s December 2015 Moscow trip by providing the following characterization to the *New York Times*:

The N.R.A.’s chief executive, Wayne LaPierre, forbade staff members to join the delegation that went to Russia, according to the organization’s outside counsel, William A. Brewer III — ‘Wayne was opposed to the trip,’ he said. The N.R.A.’s president at the time, Allan Cors, abandoned a plan to join the delegation, and the group refused to pay all of the related travel expenses, though it did cover some of them.

⁷⁹ *The New Republic*, The Rise of Russia’s Gun Nuts, November 16, 2012; <https://newrepublic.com/article/110223/the-rise-russia-gun-nuts>.

⁸⁰ NRA Letter to Senator Wyden, May 24, 2019; *New York Times*, N.R.A. Seeks Distance From Russia as Investigations Heat Up, January 28, 2019; www.nytimes.com/2019/01/28/us/nra-russia-maria-butina-investigations.html.

⁸¹ *Raw Story*, Fox News sheriff’s NRA trip to Moscow is raising eyebrows on the House intel committee, March 8, 2017; www.rawstory.com/2017/03/fox-news-sheriffs-nra-trip-to-moscow-is-raising-eyebrows-on-the-house-intel-committee/; *The Daily Beast*, Top Trump Ally Met With Putin’s Deputy in Moscow, April 10, 2017; www.thedailybeast.com/top-trump-ally-met-with-putins-deputy-in-moscow; *The Guardian*, Maria Butina: ties emerge between NRA, alleged spy and Russian billionaire, July 26, 2018; www.theguardian.com/us-news/2018/jul/26/maria-butina-nra-svetlana-nikolaeva-konstantin-nikolaev.

⁸² The NRA announced in a press release that Dana Loesch would serve as a “Major NRA National Spokesperson,” NRA Press Release: LaPierre names Loesch Special Assistant to the Executive Vice President for Public Communication, February 21, 2017; <https://home.nra.org/nra-announcement-about-dana-loesch/>; Dana Loesch via Twitter, May 8, 2018, <https://twitter.com/DLoesch/status/993899896041295877>, <https://twitter.com/DLoesch/status/993905774870040577>, <https://twitter.com/DLoesch/status/993914655583109120>; June 12, 2018, <https://twitter.com/DLoesch/status/1006602225437863936>; July 16, 2018, <https://twitter.com/DLoesch/status/1019009175152680961>, <https://twitter.com/DLoesch/status/1019012251586572298>, <https://twitter.com/DLoesch/status/1019016105820553216>.

‘Wayne expressed concerns about this trip and suggested that I not participate,’ Mr. Cors said in a statement released through the N.R.A. ‘Wayne did not want any misconception that this was an official trip. Frankly, I had similar concerns.’⁸³

In a May 24, 2019, letter to Ranking Member Wyden, the NRA asserted that anyone associated with the NRA who traveled to Moscow or pursued “activities or relationships” with Russian nationals Butina and Torshin did so “separate and apart from any official responsibilities or obligations to the Association.”⁸⁴

In sum, certain NRA board members participated in the trip of their own accord. These individuals are not employees of the Association. As an accommodation to the board members who participated, the NRA assisted with logistical support and some travel-related expenses.

To the extent certain individuals, including NRA supporters and volunteers, pursued activities or relationships with Maria Butina, Alexander Torshin, or others, such activities were separate and apart from any official responsibilities or obligations to the Association.⁸⁵

This characterization is not supported by the contemporaneous documents reviewed by committee minority staff or by statements made by trip participants and appears to be inaccurate. Documents provided by the NRA contradict its officers’ repeated public denials about the nature of the 2015 Moscow trip. The NRA trip was planned as a delegation of the NRA’s most senior officers and donors, including, initially, then-President Cors and his spouse. Russian organizers made clear the trip was planned to bring the “head of the most powerful political organization in America” to Moscow and that the delegation needed to include senior NRA leadership or the trip would not take place. Trip participants relied on NRA professional staff, funding and resources to execute their travel.

Just weeks before the delegation’s trip, then-President Allan Cors formally designated David Keene and Joe Gregory as NRA representatives in NRA letter to Alexander Torshin

Documents provided to committee minority staff show then-NRA President Cors planned to travel to Moscow with the NRA delegation until a last minute cancellation. Cors claimed in 2019 that he withdrew from the trip over concerns about the organization’s role in the trip. However, in contemporaneous documents he claimed that he was withdrawing due to health concerns, rather than the concerns voiced by Wayne LaPierre and others in 2019.⁸⁶ On November 25, 2015, after working on draft language with NRA employees and David Keene, Cors addressed a letter on NRA letterhead to “State Secretary Alexander Torshin” in which he formally withdrew from the trip and designated David Keene and Joe Gregory as representatives in Moscow of the organization’s five million members:

Dear Mr. Torshin:

I was looking forward to visiting both Israel and Russia with our delegation, but after a month-long argument with my doctors, I have concluded that for health reasons, I won’t be able to travel.

⁸³ *New York Times*, N.R.A. Seeks Distance From Russia as Investigations Heat Up, January 28, 2019; www.nytimes.com/2019/01/28/us/nra-russia-maria-butina-investigations.html.

⁸⁴ NRA Letter to Senator Wyden, May 24, 2019.

⁸⁵ *Id.*

⁸⁶ NRA letter to Alexander Torshin, November 25, 2015 (NRA Production #0000116).

I am particularly disappointed at being forced to cancel my visit to Moscow because of the importance of the relationship I feel we have developed through you with the Russian firearms and hunting communities. Your kindness in taking time out of your busy schedule to develop an amazing schedule for our group is a tribute to the importance of this visit to all of us.

For personal reasons and as a student of history, I was most anxious to visit your World War II museum and talk to those in charge of it. As you may know, I am in the process of developing a museum just outside Washington dedicated to the sacrifices of my own countrymen in the war in which we fought side by side with yours. Perhaps at some future date I will be able to benefit from the advice and wisdom of those I would have met had I been able to make this trip.

Although I won't be with them, ***Dave Keene and Joe Gregory will represent the NRA and our five million members better than anyone else.*** Joe volunteers countless hours a year in the program he developed as head of our 'Golden Ring of Freedom' and Dave, who you know better than any of our other leaders, is not just a past President and member of the NRA Executive Council, but the Chair of our International Affairs Subcommittee.

Again, I am sorry I won't be with the delegation ***and appreciate the arrangements you made on behalf of the NRA and of me.*** I can assure you that I would be with our delegation had my doctors not vetoed my plans. If I could join you, I would. I look forward to future cooperation and sharing the friendship between firearms enthusiasts in Russia and the United States.⁸⁷

While then-NRA President Cors characterized Gregory as a representative of the organization in his letter to Torshin, the NRA later characterized Gregory's role in the trip differently. On March 5, 2018, Senator Wyden wrote to the organization, asking whether Gregory traveled to Moscow in his capacity as the charter member of the NRA's Golden Ring of Freedom.⁸⁸ On March 19, 2018, John C. Frazer, NRA Secretary and General Counsel, responded to Senator Wyden's request:

Joe Gregory is a member of the Golden Ring of Freedom program. His titles of chairman (as we would describe him) or 'charter member' are honorary; contrary to the phrasing of your question, Mr. Gregory is not, and never has been, an NRA employee or contractor, and does not run any NRA program. ***Mr. Gregory traveled to Russia in his personal capacity.***⁸⁹

The NRA provided no documentation, although Ranking Member Wyden specifically requested it, supporting the characterization that Cors withdrew from the trip due to political concerns nor did the organization provide any documentation demonstrating that they expressed these concerns to other individuals or trip participants. Cors did not respond to a written interrogatory from the Ranking Member concerning his decision. In fact, documents reviewed by committee minority staff show extensive contemporaneous contact between then-Russian Ambassador Sergey Kislyak and NRA leadership. For example, Cors planned to take the Ambassador on a weekend-long hunting trip that coincided with the beginning of the NRA Israel-Moscow trip.

⁸⁷ *Id.*, emphasis added.

⁸⁸ Wyden Letter to the NRA, March 5, 2018; www.wyden.senate.gov/news/press-releases/wyden-sends-additional-questions-to-nra-regarding-alexander-torshin-and-foreign-funding.

⁸⁹ NRA Letter to Senator Wyden, March 19, 2018, emphasis added; www.finance.senate.gov/imo/media/doc/Senator%20Wyden%203-19-18%20Response%20Letter.pdf.

On June 10, 2015, David Keene emailed Cors suggesting he invite the Ambassador as his guest to the “Grand National Waterfowl Hunt,” an annual event hosted by the Grand National Waterfowl Association.⁹⁰ Keene explained that the event was something “Ordinarily, the [NRA] President gets an invitation to participate” in.⁹¹ Cors responded, “Dave: I was at the hunt many years ago. A great event. I concur with all of your ideas/suggestions and would welcome any opportunity engage the ambassador with the NRA.”⁹²

The NRA provided a calendar entry created by Nick Perrine, a special assistant to the NRA President, on November 10, 2015, showing he scheduled a “Hunt with Russian Ambassador Sergey Kislyak” for the day the hunting event began.⁹³ The calendar entry does not identify participants in the hunt; however, Perrine coordinated other events (discussed below) on behalf of Keene, Cors, and Kislyak, such as an August 20, 2015, tour of NRA headquarters, and a May 5, 2016, lunch at the ambassador’s residence.⁹⁴ Less than two weeks after Perrine created the calendar entry and only days after the hunting event was to have taken place, Cors and Keene began exchanging emails and drafts of the November 25, 2015, letter he sent to Torshin, withdrawing from the delegation.⁹⁵

No NRA personnel expressed concerns about the Moscow trip to then-NRA Vice President Pete Brownell, who agreed to replace Cors as a last-minute addition to the delegation

Brownell affirmed via counsel that he believed the Moscow trip to be an official NRA event.⁹⁶ In fact, emails provided by the NRA and Brownell show that Brownell’s subsequent addition to the delegation, explicitly in his capacity as future-President of the NRA, is what ultimately allowed the trip to go forward.⁹⁷ Furthermore, despite his position as then-Vice President and likely future President, Brownell asserted through counsel that no NRA personnel expressed any concern to him about participating in the trip at that time, or any other time, despite Cors’ 2019 claim that he and Wayne LaPierre held such concerns.⁹⁸

Brownell, had multiple interactions with NRA staff prior to the trip where concerns could have been relayed to him. On December 2, 2015, just prior to departing for Moscow, Brownell traveled to Washington, D.C., to attend a December 3 NRA Finance Committee meeting, attended by other senior NRA officials.⁹⁹ While at NRA headquarters for this meeting, Brownell also collected dozens of pieces of official NRA merchandise to be provided as gifts for Alexander Torshin, Maria Butina, and several other

⁹⁰ The Grand National Waterfowl Association hosted its 33rd Grand National Waterfowl Hunt November 19-21, 2015. MyEasternShoreMD, 33rd Grand National Waterfowl Hunt begins Thursday, November 19, 2015; www.myeasternshoremd.com/news/dorchester_county/rd-grand-national-waterfowl-hunt-begins-thursday/article_41576468-3345-5542-830c-d2d69a78cf72.html.

⁹¹ David Keene email to Allan Cors, June 10, 2015 (NRA Production #0003667).

⁹² Allan Cors email to David Keene (NRA Production #0003667).

⁹³ Nicholas Perrine Calendar (NRA Production #0003690).

⁹⁴ See, e.g., Allan Cors email to Nicolas Perrine, August 18, 2015 (NRA Production #0003683); David Keene email to Nicholas Perrine, August 18, 2015 (NRA Production #0003680); Michael Johns email to Nicholas Perrine, August 18, 2015 (NRA Production #0003684); Nicholas Perrine email to Allan Cors, May 3, 2016 (NRA Production #0003719).

⁹⁵ David Keene email to Allan Cors and Millie Hallow, November 23, 2015 (NRA Production #0000385).

⁹⁶ Interview with the law firm Faegre Baker Daniels, counsel to Pete Brownell, June 14, 2019.

⁹⁷ Maria Butina email to David & Donna Keene, November 13, 2015 (NRA Production #0001917); Maria Butina email to Pete Brownell, November 24, 2015 (Brownell #00124).

⁹⁸ Faegre Baker Daniels interview, June 14, 2019.

⁹⁹ Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

individuals the NRA expected its representatives to meet while in Russia.¹⁰⁰ The day before the NRA Finance Committee meeting, special assistant to the President of the NRA, Nick Perrine, emailed Brownell, “I spoke with Chris Dewitt—I am going to send gifts with you as a back up as we discussed yesterday. I will have an extra suitcase for the gifts if it is too late for you to pack a larger one for the trip.”¹⁰¹

NRA professional staff handled trip logistics

As noted above, senior NRA staff were intimately involved in the logistics for the Moscow trip. NRA staff prepared itineraries, secured tourist visas, paid some travel expenses, used NRA travel agents to make travel plans and even provided the delegation with NRA gifts for their Russian hosts.

Documents provided by the NRA show that the organization’s staff, including Perrine in the President’s Office and DeWitt, manager of the NRA’s Ring of Freedom donor recognition program, were significantly involved in arranging the trip.¹⁰² In a November 6, 2015, email, Donna Keene—wife of former NRA President David Keene and someone who was instrumental in planning the delegation’s travel to Moscow—distributed a draft itinerary to the NRA delegation that included biographical and scheduling information for NRA participants, including then-NRA President Cors and his spouse. In the email, Donna Keene specifically noted the role of NRA staff and informed the delegation that DeWitt would be the group’s “silent partner” and the “contact for follow-up issues”:

Don’t worry about customs and transportation or details, we will be escorted and spoiled. If you have any food restrictions or dietary needs, please let me know in advance. I agreed to “staff” this event so we could maximize our numbers, but NRA staff are always helping. Nick Perrine in the President’s Office said everyone should be on track for getting tourist visas but let him know at *****@nrahq.org if you need more. Chris is our silent partner so far and will be our contact for follow-up issues:

Christopher-Ian DeWitt
Ring of Freedom Manager
National Rifle Association of America
Office of Advancement

O: (***) ***_****

C: (***) ***_****

*****@nrahq.org

And David and I consider Maria and Alexander dear friends, so we will remain in touch. What have I missed?

Best,

D¹⁰³

¹⁰⁰ Faegre Baker Daniels interview, June 14, 2019; Word Document, “Russia Gifts for Donna,” December 8 – 13, 2015 (NRA Production #0000134).

¹⁰¹ Nicholas Perrine email to Pete Brownell, December 2, 2015 (Brownell Production #00279).

¹⁰² The NRA’s *Golden Ring of Freedom* program is a donor recognition program for those who commit to contributing at least \$1 million to the organization. The NRA’s *Ring of Freedom* program is a lower tier donor recognition program for those who contribute at least \$1,000 per year. NRA Ring of Freedom website, last accessed September 6, 2019; www.nraringoffreedom.com/about-us/.

¹⁰³ Donna Keene email to NRA Moscow delegation, November 6, 2015 (NRA Production #0001154).

Emails provided by the NRA confirm that NRA staff were instrumental in securing visas for the trip. For example, documents show NRA staff worked with Butina and a woman named Anna Kulaga, identified as Butina's assistant, to secure last-minute visas for Brownell's travel to Russia.¹⁰⁴

In addition to Brownell, Joe Gregory, Chairman of the NRA's Golden Ring of Freedom, also confirmed to committee minority staff that the NRA arranged for his travel to Israel and Russia. Gregory claimed the arrangement was in keeping with past NRA travel.¹⁰⁵ Gregory's counsel asserted:

Arrangements for Mr. Gregory's travel to Israel and Russia were made by the NRA in accordance with what historically took place in NRA trips prior to this one. Mr. Gregory understood at the time that the NRA paid for his expenses. Over the years, Mr. Gregory made several trips organized and paid for by the NRA. Typically, he understood that the NRA paid for expenses associated with the trips.¹⁰⁶

Gregory's counsel further characterized the Russian segment of the delegation's travel as an extension of the NRA's official visit to Israel: "Mr. Gregory has active interests in Israel and traveled to Israel on prior occasions with expenses paid for by the NRA, to his knowledge. The extension of the December 2015 trip to Russia was Mr. Gregory's first trip to Russia."¹⁰⁷

NRA staff also created detailed itineraries, schedules, and briefing materials for the delegation, including former NRA President David Keene and then-Vice President Pete Brownell. For example, NRA staff prepared an itinerary for Keene spanning two legs of one international travel plan—first to Israel on November 28, 2015, and then from Israel to Russia on December 8, 2015.¹⁰⁸ NRA staff also prepared an itinerary for two legs of Brownell's travel: first, from Iowa to Washington, DC for official NRA business; second, from Washington, DC to Russia, several days ahead of the rest of the delegation's arrival so he could explore personal business opportunities with Russian weapons manufacturers.¹⁰⁹

After the delegation's return to the United States, the NRA executed a complicated series of payments to first reimburse some of the delegation's expenses, and then in 2018 sought reimbursement from Brownell to get those payments off the NRA's books

Despite claims from Allan Cors and Wayne LaPierre in 2019 that they did not approve of the 2015 Moscow trip, documents show that in 2016, NRA officials approved reimbursing some of the trip participants' expenses including a reimbursement to a U.S. shell company Butina created two months after the NRA delegation's trip.

Butina's Right to Bear Arms group initially expended significant resources, likely tens of thousands of dollars, to cover the NRA delegation's expenses once the delegation was in Moscow. For example, emails and public financial disclosures show Butina's group paid \$6,000 in expenses for David Clarke. Butina

¹⁰⁴ Maria Butina email to Nicholas Perrine, November 28, 2015 (NRA Production #0001961).

¹⁰⁵ Joe Gregory Letter to the Senators, November 15, 2018; NRA YouTube, CPAC 2011—Joe Gregory—Chairman, NRA Golden Ring of Freedom, February 16, 2011; www.youtube.com/watch?v=gm64yQoytCs

¹⁰⁶ Joe Gregory Letter to the Senators, November 15, 2018.

¹⁰⁷ *Id.*; The NRA boasts on a website for Ring of Freedom donors that membership provides "access to exclusive, members-only hunts, unique excursions and private expeditions, like curated tours to Israel and the Italian countryside." In its May 19, 2019 letter to the Ranking Member, the NRA confirmed it sent staff to Israel as part of the delegation. NRA Ring of Freedom website, www.nraringoffreedom.com/events/; NRA letter to Ranking Member Wyden, May 24, 2019.

¹⁰⁸ Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093).

¹⁰⁹ Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

also claimed to NRA officials that she personally covered \$6,000 in expenses for Jim Liberatore, an NRA donor and business associate and then-CEO of the Outdoor Channel. According to the Milwaukee Fox affiliate–Fox 6Now:

When then-Milwaukee County Sheriff David Clarke went on a six-day trip to Russia in 2015, a group founded by an alleged Russian agent paid his expenses. Clarke and Maria Butina, who the U.S. Department of Justice charged this week with trying to infiltrate the National Rifle Association and other political groups, appeared together during the trip. Clarke was part of an NRA delegation. Butina's group, The Right to Bear Arms, covered \$6,000 of Clarke's meal, hotel, and transportation expenses, according to the ex-sheriff's Milwaukee County financial disclosure form.¹¹⁰

As described below, the NRA paid for Clarke's other Moscow travel expenses. Jim Liberatore confirmed to committee minority staff that Butina's organization paid for some of his expenses in Moscow. In a letter to minority staff, counsel for the Outdoor Sportsman Group wrote, "[Outdoor Channel] paid for Mr. Liberatore's travel to and from Russia. Mr. Liberatore was told before the trip that the Right to Bear Arms group would pick up the lodging, meals, and transportation expenses in Russia, although Mr. Liberatore paid personally for his own hotel incidental charges. After the trip, he learned those expenses might have been \$6,000."¹¹¹

After the delegation returned to the United States, Butina informed Donna Keene that Liberatore's expenses were not included in the delegation's costs covered by Right to Bear Arms and that she had personally paid for them. She then asked for help arranging for a bank wire transfer to her American bank account "to avoid international economic sanction problems."¹¹² Keene forwarded the request to Liberatore, who then enlisted Brownell for help resolving the request.¹¹³ Documents show that discussions between Brownell, Liberatore, and Millie Hallow, a senior NRA staff member, on how to pay these expenses went on over a period of months.¹¹⁴ On January 9, 2016, Brownell emailed Millie Hallow to explain that Butina was seeking a \$6,000 reimbursement for expenses she claimed to have incurred in Moscow on behalf of Jim Liberatore. Hallow replied to him the same day, confirming the NRA could pay the expenses through the President's office budget.¹¹⁵

On February 12, 2016, two days after creating a domestic LLC registered in South Dakota–Bridges, LLC–Butina emailed NRA staff an invoice from the newly formed entity for \$6,000.¹¹⁶ The description of

¹¹⁰ Fox 6 Now, Ex-Sheriff David Clarke's 2015 trip expenses paid by alleged Russian agent's group, July 17, 2018; <https://fox6now.com/2018/07/17/woman-charged-with-being-covert-russian-agent-had-ties-to-former-sheriff-david-clarke/>.

¹¹¹ Outdoor Sportsman Group (on behalf of Jim Liberatore) Letter to the Senators, September 7, 2018.

¹¹² Maria Butina email to Donna Keene, December 28, 2015 (Brownell Production #00354)

¹¹³ Donna Keene email to Jim Liberatore, December 28, 2015 (Brownell Production #00354); Jim Liberatore email to Pete Brownell, December 28, 2015 (Brownell Production #00354).

¹¹⁴ According to Millie Hallow's LinkedIn profile, she holds the title of "Special Assistant" at the NRA. Wayne LaPierre has identified Hallow as "one of [his] most senior staff members" in correspondence to the NRA Board of Directors. Millie Hallow LinkedIn, last accessed September 6, 2019; www.linkedin.com/in/millie-hallow-7540794; Wayne LaPierre letter to the NRA Board of Directors, April 25, 2019; www.wsj.com/public/resources/documents/LaPierreletter042519.pdf

¹¹⁵ Millie Hallow email to Pete Brownell, January 9, 2016 (Brownell Production #00386); while Brownell provided this exchange in his document production, the NRA did not.

¹¹⁶ Butina and GOP political operative Paul Erickson jointly established Bridges, LLC in South Dakota in February 2016. According to public reporting, Erickson claimed he established the company to help provide Butina monetary assistance for her graduate studies. *McClatchy*, FBI investigating whether Russian money went to NRA to help Trump, January 18, 2018; www.mcclatchydc.com/news/nation-world/national/article195231139.html; *South Dakota*

services read, “Hosting of NRA leadership group for six days in Moscow, Russia December 8-13, 2015 for cultural exchange with ‘The Right to Bear Arms’ (meetings with dignitaries, arranging all lodging, transportation, meals and entertainment)” though she clarified in her emails the invoice was actually to cover expenses she had personally incurred on Jim Liberatore’s behalf.¹¹⁷ Butina later explained:

I write to ask (for the last time! I promise!) for your help in maybe finding a way for the NRA to cover the \$6,000 expenses that I personally covered for our friends at the Outdoor Channel last December in Moscow. I KNOW—I know—that you and Pete and others have offered to help solve a problem that you did NOT create, but that resulted from an oversight on the part of Donna Keene.¹¹⁸

Pete Brownell confirmed via counsel to committee minority staff that he paid Butina’s Bridges, LLC \$6,000 for Liberatore’s expenses. Counsel also confirmed that Brownell repaid the NRA roughly \$15,000 for the Clarkes’ travel expenses not covered by Right to Bear Arms on June 2, 2016.¹¹⁹ These latter expenses, including air travel and visas appear to have been initially paid for by the NRA when the trip was organized.

This is consistent with an email Nick Perrine sent to Millie Hallow on June 15, 2016, in which he wrote, “NRA received our check for 15k. The check to Bridges, LLC for Maria was sent to the business address in Souix Falls (sic) on June 2nd (the same day the check was mailed to NRA; so they should have by now).”¹²⁰

Brownell further asserted through counsel that at Millie Hallow’s direction, he subsequently invoiced the NRA for both payments. On June 14, 2016, the NRA then reimbursed Brownell \$21,535.10.¹²¹

Finally, Brownell asserted through counsel that he was later asked by NRA outside counsel to re-pay the NRA for reimbursed Moscow expenses and on February 9, 2018, paid the NRA \$17,000. Brownell’s counsel stated that it was unclear which specific costs were included in that amount and declined to provide documents memorializing these transactions. However, counsel characterized the final transaction, which was made at the NRA’s request, as a way of “getting the trip off the NRA’s books.”¹²²

In summary, Butina claimed to have personally covered the Liberatore’s expenses while in Moscow. She then sought reimbursement for those expenses (roughly \$6,000) from the NRA. Butina submitted an invoice to the NRA for those expenses. She did so through Bridges LLC, her U.S. domestic shell company. Despite representation on the Bridges invoice, that the expenses listed covered others on the trip, Brownell, Hallow and other officials understood the invoice only to cover the Liberatore’s expenses. Brownell, on his own or through his company, paid that invoice and then the NRA reimbursed him for that amount, as well as the Clarkes’ expenses. By having Brownell pay for the Clarkes and then reimbursing him for these expenses, the NRA appears to have simply moved those expenses, which it originally paid when the trip was organized, from a travel account to the president’s office account.

Secretary of State, February 10, 2016:

<https://sosenterprise.sd.gov/BusinessServices/Business/FilingDetail.aspx?CN=064236191089001247030098158165155023024203221157>.

¹¹⁷ Bridges, LLC email to Millie Hallow, February 12, 2016 (Brownell Production #00472).

¹¹⁸ Bridges, LLC email to Millie Hallow, June 14, 2016 (NRA Production #0002336).

¹¹⁹ Faegre Baker Daniels interview, June 14, 2019.

¹²⁰ Nicholas Perrine email to Millie Hallow, June 15, 2016 (NRA Production #0002336).

¹²¹ Counsel did not clarify whether Brownell or the company received the final NRA payment but maintained that since it was Brownell’s company there was no real distinction; Faegre Baker Daniels interview, June 14, 2019.

¹²² Faegre Baker Daniels interview, June 14, 2019.

More than two years after the trip, and roughly one week after Senator Wyden opened his initial inquiry into the NRA's relationship with Russian government official Alexander Torshin, the NRA asked Brownell to reimburse the organization to, as his counsel phrased it, get the trip off the NRA's books.

Russian hosts made clear the trip would only happen if it included senior NRA leadership because they needed to demonstrate Torshin's American connections to the Russian government

When Allan Cors decided to withdraw from the Moscow trip, documents show that the lack of a senior official in the delegation nearly resulted in the cancellation of the trip. Donna Keene emailed Cors asking him to reconsider, claiming it would undo years of work she and David Keene had done to build a relationship with the Russians. Maria Butina bolstered Donna Keene's efforts by outlining the events she claimed she was only able to arrange because the "head of the most powerful political organization in America" would be participating. In order to prevent the collapse of the trip, Butina solicited Brownell to join the trip in his capacity as future President of the NRA, with the full knowledge of NRA staff.

Documents provided to committee minority staff show that Butina worked closely with conservative political operative Paul Erickson to pressure Brownell into joining to ensure the trip would happen.¹²³ On November 12, 2015, after learning of Cors' decision to withdraw from the trip, Butina emailed the Keenes to discuss the consequences of the decision. In her email, Butina repeatedly warned the Keenes that many events she had planned would only occur if the president of the NRA attended:

I received Donna's message that Mr. & Mrs. Cors have decided not to join the NRA delegation to Russia in December. This could cause serious problems for our trip. In Russian culture, great prestige is accorded the leaders of very important organizations. Several of the special events that I have arranged for your delegation were granted to us only because <<the NRA President>> was leading the American delegation. Audiences with high government officials and a private tour of a tank farm owned by a Russian oligarch (for example) were offered to us because the current leader of the NRA was leading this very important delegation. Many of these meetings were granted as personal favors to Deputy Governor Torshin because of <<leader to leader>> courtesies. The other members of your group are important and interesting, but I'm afraid that we may lose some meetings or events if Mr. Cors is not present.¹²⁴

The next day, Donna Keene emailed Cors and Millie Hallow and pleaded with Cors to reconsider his withdrawal from the trip, claiming the trip was "NRA business" and that his cancellation would risk the relationship the NRA had built with Russia over the previous seven years:

Your canceling will risk—I think completely burn—all the inroads NRA volunteers have worked on so hard for so long. It will hurt Torchin's (sic) pro-American career ... David and I did no NRA international travel when he was an officer—but this is NRA business—we've worked for 7 years to build trust with the Russians. They are status-conscious and have spent untold hours and dollars on us. Allan, please, please come.¹²⁵

¹²³ Erickson was indicted in February 2019 on 11 counts of Wire Fraud and Money Laundering. United States Department of Justice Press Release, February 7, 2019; www.justice.gov/usao-sd/pr/sioux-falls-man-charged-wire-fraud-and-money-laundering-0.

¹²⁴ David Keene forwarded Butina's email to Allan Cors and Millie Hallow shortly after receiving it; Maria Butina email to Donna and David Keene, November 12, 2015 (NRA Production #0001167).

¹²⁵ Donna Keene email to Allan Cors and Millie Hallow, November 13, 2015 (NRA Production #0001917).

Donna Keene included in her appeal to Cors a second email from Butina. In that email, Butina explained that she had only been able to arrange some of the group's meetings "because these Russian figures were going to meet the <<head of the most powerful political organization in America>>". Though, as discussed below, Butina had already invited Brownell to participate in the trip as the future President of the NRA, she argued to the Keenes that her Russian contacts wanted to meet the organization's current president, Cors, and not the future president, Brownell. She closed her email by making explicitly clear to the Keenes that the purpose of the NRA trip to Moscow was for Torshin to demonstrate his American connections to powerful figures in the Russian government and that Cors' withdrawal would risk Torshin's political future. Donna Keene provided this information to Cors and at least two senior NRA employees, Hallow and Perrine, who were instrumental in planning the trip:¹²⁶

Though we talked about some of the highlights of your upcoming Russian itinerary at dinner in Washington, I for you wanted to have some specifics of the most important things that I and Deputy Governor Torshin have been able to arrange for your delegation led by current NRA President Cors. Many of these very high level special events were granted to us because these Russian figures were going to meet the <<head of the most powerful political organization in America.>> Maybe when Mr. Cors sees what awaits him, he might be able to change his schedule to once again join the delegation.

Finally, and I am sorry that this is maybe selfish, but the oligarch that has personally funded <<The Right To Bear Arms>> for several years is attending either the PR firm lunch or the summit in Stalin's Bunker between your delegation and my organization. If he is disappointed by the absence of a key member of the delegation, this could affect my organization's future support. I don't know how many of these events would be affected by Mr. Cors not being there. I might be able to save them with Mr. LaPierre (though I know that it's probably impossible for him to make international trip on three weeks notice). And though I've learned that Americans are smart to look ahead to future leaders, Russians are still very traditional in this regard—they want to meet President Cors, not next President Brownell.

Torshin's last trip to America was to attend a minor monetary conference, but it was really to be able to meet you and confirm his excitement over your trip. *Many powerful figures in the Kremlin are counting on Torshin to prove his American connections—a last minute important member cancellation could affect his political future. It cannot be certain.*¹²⁷

Butina invited Brownell to join the Moscow trip—as future NRA President—before Cors withdrew; she doubled down on those efforts after Cors' withdrawal

Despite Butina's claim to Cors, during her efforts to keep him from withdrawing, that Russians wanted to meet him and not the future president of the NRA, documents show she had already invited Brownell to join the NRA's delegation. When Cors' withdrawal put the NRA trip at risk, Butina doubled down on efforts to secure Brownell's participation.

¹²⁶ Donna Keene forwarded the Butina email to Allan Cors and Millie Hallow; Hallow later forwarded the email to Nicholas Perrine. Donna Keene email to Allan Cors and Millie Hallow, November 13, 2015; Millie Hallow email to Nicholas Perrine, November 13, 2015 (NRA Production #0001917).

¹²⁷ Donna Keene email to Allan Cors and Millie Hallow, November 13, 2015, emphasis added (NRA Production #0001917).

Documents provided to committee minority staff show that she worked closely with conservative political operative Paul Erickson to secure Brownell's participation.¹²⁸ Erickson is widely understood to be "U.S. Person 1" in the Butina indictment. The Department of Justice identified that individual as deeply involved in Butina's conspiracy:

U.S. Person 1 is a United States citizen and an American political operative. BUTINA established contact with U.S. Person 1 in Moscow in or around 2013. U.S. Person 1 worked with BUTINA to jointly arrange introductions to U.S. persons having influence in American politics, including an organization promoting gun rights (hereinafter 'GUN RIGHTS ORGANIZATION'), for the purpose of advancing the agenda of the Russian Federation.¹²⁹

In early October 2015, Butina and Erickson traveled to Iowa and visited Brownell. Brownell stated through his counsel that this was the first time that he had ever met Erickson.¹³⁰ On October 25, 2015, Butina first approached Brownell about joining the Moscow trip, before Cors backed out.

As you already know from David and Donna Keene (I hope you do) they will be happy if you will join the NRA Moscow trip in December 2015 (it is great - the whole generation of the NRA presidents is coming: past - Keene, current - Cors and future - Brownell).¹³¹

In addition to the importance of his future role as president of the NRA, Butina also pitched the idea that she would set up business meetings for him with Russian arms companies.

According to your plans about Russian market [joining the NRA delegation] would be very good trip for this purpose. In the NRA group's schedule there are some meeting (sic) with Russian VIP including people how (sic) are responsible for our gun manufacturing and close to Russian government ...

But especially for you and your company I have something more. During this week that I have spent in Moscow I had several meeting (sic) with key people in Russian gun retail and manufacturing, as well as with some manufactories of gun accessorizes (sic) and supplies, and we talked about The Brownells. They are ready to meet you and talk about export and import deals. One of the companies (they do Kalashnikov modifications, SYD and etc.) is located far away from Moscow. It is 2 days trip but could be really very good for your business.¹³²

On November 18, 2015, several days after Butina was informed that Cors would not be traveling to Moscow, Erickson emailed Brownell to relay to him that Cors had withdrawn from the trip. Erickson

¹²⁸ According to public reporting, Erickson met Butina when he traveled to Moscow with David Keene in 2013 to meet with the Right to Bear Arms organization. Erickson was indicted in February 2019 on 11 counts of Wire Fraud and Money Laundering. His case has not yet gone to trial. *ABC News*, Love or cover? Maria Butina and the romance at the heart of an alleged Russian influence operation, August 28, 2018; <https://abcnews.go.com/Politics/lover-cover-romance-heart-alleged-russian-influence-operation/story?id=57437405>; United States Department of Justice Press Release, February 7, 2019; www.justice.gov/usao-sd/pr/sioux-falls-man-charged-wire-fraud-and-money-laundering-0

¹²⁹ Department of Justice Press Release, July 16, 2018; www.justice.gov/opa/pr/russian-national-charged-conspiracy-act-agent-russian-federation-within-united-states.

¹³⁰ Faegre Baker Daniels interview, June 14, 2019.

¹³¹ Maria Butina email to Pete Brownell, October 25, 2015 (Brownell Production #00043).

¹³² *Id.*

asked Brownell, as a future president of the organization, to step in and “save” the trip. Erickson promised Brownell that if he led the trip he would “benefit greatly” from Butina’s connections to the Kremlin and Russian arms manufacturers:

Russia is very old world when it comes to diplomatic protocols. Many of the spectacular meetings and events that Maria has arranged for the NRA’s four days in Moscow (listed below) were predicated on the highest level of government officials getting to meet ‘the President of the most influential political organization in America.’ Russians don’t take ‘seconds in command.’

But they DO respect ‘presidents in waiting.’ Torshin and Butina believe that the entire NRA itinerary – private meetings with the top ministers in Putin’s government and private lunches in oligarch’s dachas – could be preserved if YOU were to assume the place of Cors as leader of the delegation December 9 – 12. ***The NEXT President of the NRA – who would assume office at the same time as the NEXT American President – is a man that the Kremlin (and Russian arms manufacturers) want to meet.***

Is this even a remote possibility for you and your personal and professional schedule?

You would NOT have to travel to Israel in advance of Moscow with the surviving members of the NRA delegation (unless you’d like to). ***You WOULD benefit greatly from arriving in Moscow a few days ahead of the delegation to take advantage of the private meetings that Maria has offered you with Russian arms manufacturers located outside of Moscow.***¹³³

Erickson went on to highlight the political and diplomatic ramifications of meetings Butina had arranged between Russian officials and NRA officers:

As we discussed over lunch in Iowa, Russia believes that high level contacts with ***the NRA might be the BEST means of neutral introduction to either the next American President OR to a meaningful re-set in relations with the Congress under a (God forbid) President Clinton.*** This simple good will trip would have enormous diplomatic consequences for a future U.S. / Russia bilateral relationship to the world.¹³⁴

Butina appears to have offered a meeting with Vladimir Putin in an effort to rescue the trip after NRA President Cors withdrew

After several days passed without confirmation from Brownell that he would “save” the NRA delegation’s trip, Butina and Erickson offered a potential meeting between the NRA delegation and “Russia’s highest leader,” presumably Vladimir Putin, as part of a further effort to convince Brownell to lead the trip.

On November 23, 2015, Butina emailed David and Donna Keene with the subject line “Very High Stakes.” In her email, Butina announced that Torshin had been allowed to invite several members of the NRA delegation to meet with “Russia’s highest leader” on the condition the “leader of the NRA” traveled with the delegation. David Keene forwarded this email to Pete Brownell later that day:

¹³³ Paul Erickson email to Pete Brownell, November 18, 2015, emphasis added (Brownell #00048).

¹³⁴ *Id.*

I received word early this morning from our esteemed Deputy Governor Torshin that he has been allowed to extend *an invitation for up to seven (7) members of the NRA delegation for a possible meeting with 'Russia's highest leader.'* This is NOT a guarantee, but given the circumstances surrounding the political leaders involved, it is VERY likely that such a private meeting in the Kremlin will now be added to your itinerary. But it is surely dependent upon the Kremlin's understanding that the 'leader of the NRA' will be part of the delegation.¹³⁵

The same day, Erickson emailed Brownell a remarkably similar pitch, promising an "audience with Russia's leader" if Brownell led the trip. The email, which contained the subject line "Higher Stakes" read:

And the stakes on the NRA expedition to Russia continue to rise. I received word early this morning that the NRA delegation 'may be privileged to enjoy an audience with Russia's leader' ... no guarantees, but given the source of the news it is now VERY likely that up to *seven (7) members of the NRA delegation will be granted a private meeting with the 'hero of Syria' in Moscow ... but only if the delegation is led by the NRA President (or future President).*¹³⁶

On June 14, 2019, Brownell asserted through counsel to committee minority staff that to his knowledge, there was no plan to meet with Putin and that he had no interest in doing so. Brownell's counsel further asserted that he "put no stock" in the emails from Erickson.¹³⁷

However, documents provided to committee minority staff show that shortly after receiving Erickson's offer to meet with "Russia's highest leader," Brownell forwarded the email to Rob McAllister, Director of Compliance for Brownells, writing, "For you to understand the nature of the nra to Russia meeting."¹³⁸

Brownell then responded to Erickson, specifically proclaiming his interest in the meeting, "This would be a very interesting meeting. I already felt like a small fish in a very big shark filled ocean. Team is working through the logistics today."¹³⁹

After Brownell confirmed his interest in the trip to Erickson, Erickson replied again that day, instructing Brownell how to obtain State Department approval. Erickson suggested Brownell inform the State Department that he would not be meeting with Deputy Prime Minister Dmitry Rogozin because he had been sanctioned by the U.S. Treasury Department. However, Erickson advised that no such restrictions existed related to the "Russian leader," whom he had previously referenced:

You (individually) would NOT be allowed to meet with Deputy Prime Minister Dmitry Rogozin—he appears near the top of the current Obama 'sanctions list.' If you point out that you KNOW that you would 'absent yourself' from this meeting in your discussions with State, you will get bonus points. (Rogozin deals with this issue well.) For obvious reasons, the 'Russian leader' whom I just wrote to you about is missing from this list.

¹³⁵ Maria Butina email to David and Donna Keene, November 23, 2015, emphasis added (Brownell Production #00086).

¹³⁶ Paul Erickson email to Pete Brownell, November 23, 2015, emphasis added (Brownell Production #00052).

¹³⁷ Faegre Baker Daniels interview, June 14, 2019.

¹³⁸ Pete Brownell email to Rob McAllister, November 23, 2015 (Brownell Production #000781).

¹³⁹ Pete Brownell email to Paul Erickson, November 23, 2015 (Brownell Production #00053).

Interestingly, he does NOT appear on the western “sanctions list” and you would NOT be barred from leading the delegation to the Kremlin for this meeting.¹⁴⁰

The day after Butina and Erickson offered a potential meeting with Putin to Brownell and other members of the NRA delegation, Brownell responded to Butina’s original November 10, 2015, email, accepting her invitation to Moscow.¹⁴¹

¹⁴⁰ Paul Erickson email to Pete Brownell, November 23, 2015 (Brownell Production #00053).

¹⁴¹ Pete Brownell email to Maria Butina, November 24, 2015 (Brownell Production #00125).

II. Russian Contacts - NRA Officers and Donors Met with High Level Russian Government Officials and Oligarchs Close to Vladimir Putin on Multiple Occasions

The 2015 Moscow meetings, in Butina's words, were intended for "Torshin to prove his American connections" to Kremlin officials, and came following the years of work she and Torshin had conducted to build relationships with NRA officers. Documents show that the NRA delegation, and David Keene, Joe Gregory and Pete Brownell specifically, were prepared to meet with a number of senior Russian government officials and Russian oligarchs close to President Putin during their December 2015 trip to Moscow. Butina represented to David Keene that meetings with one of the oligarchs and one of the government officials would personally benefit him and Brownell. Erickson made a similar claim to Brownell.¹⁴² Brownell's counsel confirmed to staff that the delegation "probably met with anyone who was outlined by the written itinerary."¹⁴³

According to documents provided to minority staff, public documents and reporting, and a staff interview with Brownell's counsel, the delegation met with the following individuals while in Russia:

- Evgeny Lukyanov, deputy secretary of the Security Council of the Russian Federation
- Sergey Lavrov, Russian diplomat and foreign minister of Russia
- Igor Shchyogolev, special assistant to President Putin
- Dmitry Rogozin, deputy prime minister
- Sergei Lisowski, Russian senator
- Sergey Yastrzhembsky, former Putin spokesman
- Konstantin Nikolaev, Russian energy and transportation oligarch and reported Butina financier
- Pavel Gusev, Russian media oligarch
- Vadim Zadorozhny, Russian real estate oligarch
- Igor Pisarsky, Russian public relations figure and reported Butina and Nikolaev intermediary
- Mikhail Degtyarev, editor-in-chief of Kalashnikov Concern entity "Kalashnikov Magazine"

The NRA delegation met with at least two Russian government officials who appeared on the U.S. Treasury Department's Specially Designated Nationals and Blocked Persons list at the time of the trip, raising concerns about the topics and opportunities discussed during those meetings. Additionally, the meetings in Moscow were not the only occasion that NRA representatives met with senior Russian government officials. Documents provided in this investigation show the former Russian Ambassador to the United States engaged in a parallel effort before and after the delegation's travel to Moscow to build relationships with NRA officers and board members.

¹⁴² In an email to David Keene, Butina explained that she had arranged private meetings with a media oligarch who could help him secure an interview with Putin for the Washington Times and with a Deputy Prime Minister who controlled all of Russia's defense industry. Erickson provided the same characterization to Brownell while explaining the trip would be beneficial for Brownell's personal business; Maria Butina email to David Keene, November 13, 2015 (NRA Production #0001917); Paul Erickson email to Pete Brownell, November 18, 2015 (Brownell Production #00048).

¹⁴³ Faegre Baker Daniels interview, June 14, 2019.

Documents show previously undisclosed efforts by former Russian Ambassador Sergey Kislyak to build relationships with NRA officials while he was in the United States in 2015, 2016, and 2017

Ambassador Kislyak is a central figure in Russia's 2016 election interference. U.S. intelligence agencies reportedly intercepted communications between Kislyak and his superiors in Moscow in which he claimed to have discussed the 2016 presidential campaign with then-Senator and Trump campaign foreign policy advisor Jeff Sessions.¹⁴⁴ Sessions' failure to disclose meetings with Kislyak in testimony before the Senate Judiciary Committee during his confirmation hearing led to Attorney General Jeff Sessions' recusal from 2016 election-related investigations.¹⁴⁵ Further, former National Security Advisor Michael Flynn lied to the FBI about conversations he had with Kislyak, leading to his December 2017 guilty plea.¹⁴⁶ Public reporting also indicates that Kislyak and Jared Kushner discussed establishing a secret communications "back channel" before Donald Trump's inauguration.¹⁴⁷

In its sentencing memo in *United States v. Butina*, the Department of Justice disclosed that Butina met with Ambassador Kislyak in May 2015 and discussed, among other issues, a potential trip to Moscow by an advisor to a presidential candidate whose campaign announcement event she would later attend.¹⁴⁸ The DOJ included a translated copy of Butina's notes from that meeting as an attachment to the sentencing memo. While redacted, her notes suggest that the two also discussed the NRA. Her notes show they potentially discussed the group's eventual visit to Moscow, noting it would be "before or after Israel."¹⁴⁹

NRA documents show that roughly three months later, the NRA hosted Ambassador Kislyak for a four-hour tour of NRA headquarters, including a meeting with NRA President Cors. Emails show that on August 17, 2015, David Keene invited the Russian Ambassador to tour NRA headquarters.¹⁵⁰ The event was documented on NRA calendars using David Keene's NRA email account as the "Russian Ambassador Visit" at NRA headquarters.¹⁵¹

On August 18, 2015, Nick Perrine emailed then-President Cors and David Keene:

"We are set for Thursday's visit with the Russian Ambassador to the U.S. at HQ. The Ambassador is set to arrive at 10:00 AM. Jim Supica will lead a tour of the museum at that

¹⁴⁴ *Washington Post*, Sessions discussed Trump campaign-related matters with Russia ambassador, U.S. intelligence intercepts show, July 21, 2017; www.washingtonpost.com/world/national-security/sessions-discussed-trump-campaign-related-matters-with-russian-ambassador-us-intelligence-intercepts-show/2017/07/21/3e704692-6e44-11e7-9c15-177740635e83_story.html.

¹⁴⁵ *Washington Post*, Attorney General Jeff Sessions will recuse himself from any probe related to 2016 presidential campaign, March 2, 2017; www.washingtonpost.com/powerpost/top-gop-lawmaker-calls-on-sessions-to-recuse-himself-from-russia-investigation/2017/03/02/148c07ac-ff46-11e6-8ebe-6e0dbe4f2bca_story.html.

¹⁴⁶ *BuzzFeed News*, Michael Flynn Pleads Guilty To Lying In The Russia Investigation And Will Cooperate With Prosecutors, December 1, 2017; www.buzzfeednews.com/article/zoetillman/michael-flynn-charged.

¹⁴⁷ *Washington Post*, Russian ambassador told Moscow that Kushner wanted secret communications channel with Kremlin, May 26, 2017; www.washingtonpost.com/world/national-security/russian-ambassador-told-moscow-that-kushner-wanted-secret-communications-channel-with-kremlin/2017/05/26/520a14b4-422d-11e7-9869-bac8b446820a_story.html.

¹⁴⁸ United States' Memorandum in Aid of Sentencing, *United States v. Mariia Butina*, No. 18-CR-218-TSC (D.D.C. Apr. 19, 2019) <https://assets.documentcloud.org/documents/5972875/4-19-19-US-Sentencing-Memo-Butina.pdf>.

¹⁴⁹ *Id.* at Exhibit 5.

¹⁵⁰ David Keene email to Nicholas Perrine, August 17, 2015 (NRA Production #0003680).

¹⁵¹ NRA document production index, September 19, 2018.

time. I have reserved the private dining space in the café for you to use for lunch. The range will also be prepared for a visit before or after lunch.”¹⁵²

According to an email with the subject line “DAILY REPORT 20 AUGUST 2015,” Kislyak arrived shortly after 10:30 a.m. that day. NRA security “escorted him to the South tower and stayed with him until Mr. Cors, Mr. Keene and Nick Perrine arrived.” According to the email log, Kislyak left the NRA premises roughly three hours later at 1:45 p.m.¹⁵³

As discussed previously in this report, additional documents show Cors may have taken the Russian Ambassador to a hunting event in the days preceding the NRA delegation’s 2015 Moscow trip. On June 10, 2015, David Keene emailed Cors suggesting he invite the Ambassador as his guest to the “Grand National Waterfowl Hunt,” an annual event hosted by the Grand National Waterfowl Association. Cors responded, “Dave: I was at the hunt many years ago. A great event. I concur with all of your ideas/suggestions and would welcome any opportunity engage the ambassador with the NRA.”¹⁵⁴

The Grand National Waterfowl Association hosted its 33rd Grand National Waterfowl Hunt on November 19, 2015.¹⁵⁵ The NRA provided a calendar entry created by Perrine showing a “Hunt with Russian Ambassador Sergey Kislyak” was scheduled for the day the hunting event began.¹⁵⁶

Following the Moscow trip, on April 8, 2016, David Keene’s NRA email address was used to schedule “Lunch with Russian Ambassador and Allan Cors.”¹⁵⁷ The calendar entry was scheduled for May 5, 2016, from 1 p.m. to 3 p.m.¹⁵⁸ Perrine emailed Cors on May 3, 2016, to remind him that he had scheduled a lunch with Keene and the Ambassador on May 5 and that the lunch would take place at the Ambassador’s residence in Washington, D.C.¹⁵⁹

Another email from Perrine the following month shows Cors was invited to a “Day of Russia” celebration on June 9, 2016, but declined the invitation.¹⁶⁰

On March 16, 2017, according to the same NRA document index, user “dkeene” created a contact entry for “Sergey Kislyak – Embassy of the Russian Federation in the USA.”¹⁶¹ The entry included an email to Keene from Yury Y. Melnik, Chief of Staff to the Russian Ambassador, in which Melnik asked to schedule a lunch for June 9, 2017, at the Russian Ambassador’s residence in Washington, D.C.¹⁶²

Another calendar entry appears to show Donna Keene planned to attend a party for the Ambassador after public reporting indicated he was to be recalled to Russia.¹⁶³ The entry shows “Donna Wiesner” created a

¹⁵² Nicholas Perrine email to David Keene and Allan Cors, August 18, 2015 (NRA Production #0003683).

¹⁵³ NRA email, “DAILY REPORT 20 AUGUST 2015,” August 20, 2015 (NRA Production #0000266).

¹⁵⁴ Allan Cors email to David Keene, June 11, 2015 (NRA Production #0003667).

¹⁵⁵ MyEasternShoreMD, 33rd Grand National Waterfowl Hunt begins Thursday, November 19, 2015; www.myeasternshoremd.com/news/dorchester_county/rd-grand-national-waterfowl-hunt-begins-thursday/article_41576468-3345-5542-830c-d2d69a78cf72.html.

¹⁵⁶ Nicholas Perrine calendar entry (NRA Production #0003690).

¹⁵⁷ NRA document production index, September 19, 2018.

¹⁵⁸ Nicholas Perrine calendar entry (NRA Production #0000281).

¹⁵⁹ Nicholas Perrine email to Allan Cors, May 3, 2016 (NRA Production #0003719).

¹⁶⁰ Nicholas Perrine email to the Russian Embassy, June 8, 2016 (NRA Production #0003724).

¹⁶¹ NRA document production index, September 19, 2018.

¹⁶² NRA contact entry, March 16, 2017 (NRA Production #0000289).

¹⁶³ *BuzzFeed News*, Moscow is Recalling Russia’s Ambassador To The US Amid Election Controversy, June 25, 2017; www.buzzfeednews.com/article/johnhudson/moscow-is-finally-recalling-russian-ambassador-sergey#.hdyov8A2vj.

calendar entry dated July 18, 2017, with the subject line “Kislyak Amb. Party wdwk.”¹⁶⁴ The NRA and Cors both declined to answer written interrogatory questions from the Ranking Member about these and any other interactions with Kislyak.

The NRA delegation met with senior level members of the Russian government during 2015 Moscow trip

Itineraries, briefing materials, and other documents indicate that members of the NRA delegation met with senior level members of the Russian government including Evgeny Lukyanov, Sergey Lavrov, Dmitry Rogozin, Igor Shchyogolev, Sergei Lisowski, and Sergey Yastrzhembsky.

Itineraries prepared by NRA staff for David Keene and Pete Brownell show that the two scheduled an hour-long meeting with *Evgeny Lukyanov*, the then-Deputy Secretary of the Security Council of the Russian Federation on December 9, 2015.¹⁶⁵ Butina described the meeting to Brownell as “A private meeting with the First Secretary of the Russian Security Counsel (sic) (the man that advises President Putin on a daily basis on all security and military affairs – the equal to the American ‘National Security Advisor’).”¹⁶⁶

Brownell’s itinerary shows a one-hour meeting with *Russian Foreign Minister Sergey Lavrov* scheduled for 4 p.m. on December 9, 2015.¹⁶⁷ Documents provided by the NRA confirm Butina arranged a meeting between NRA representatives and Foreign Minister Lavrov. On November 18, 2015, Donna Keene emailed the delegation members to pass along a message from Butina confirming that she was working to set up the meeting, “Almost all your schedule is done - we are waiting (sic) a response from The Ministry Of Foreign Affairs - Mr. Lavrov wants to meet you and we are working to make it real.”¹⁶⁸

On December 12, 2015, *Dmitry Rogozin*, the then-Russian Deputy Prime Minister in charge of Russia’s defense industry, posted an image of himself, Keene, and Brownell together at a Russian shooting range on social media.¹⁶⁹ At the time, Rogozin was an SDN under OFAC’s Ukraine/Russia sanctions program.¹⁷⁰ Pursuant to this designation, all assets of Rogozin were “blocked” and could not be “transferred, paid, exported withdrawn or otherwise dealt in” by U.S. persons, and in particular, U.S. persons could not make or receive “any contribution or provisions of funds, goods, or services” from Rogozin.¹⁷¹

Pete Brownell asserted via counsel that the delegation did not schedule a meeting with Rogozin during the 2015 Moscow trip, but said Rogozin happened to be at a shooting range at the same time the NRA

¹⁶⁴ NRA calendar entry, July 18, 2017 (NRA Production #0003751).

¹⁶⁵ Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093); Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117); Foreign media reports indicate that Lukyanov became the Russian Federation’s Ambassador to Latvia shortly after the November 2016 U.S. election. Latvia Public Broadcasting, Evgeny Lukyanov to become next Russian ambassador, December 9, 2016; <https://eng.lsm.lv/article/politics/politics/evgeny-lukyanov-to-become-next-russian-ambassador.a213891/>.

¹⁶⁶ Butina email to Pete Brownell, November 18, 2015 (Brownell Production #00050).

¹⁶⁷ Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

¹⁶⁸ Donna Keene email to NRA Russia delegation, November 18, 2015 (NRA Production #0002471).

¹⁶⁹ Dmitry Rogozin Twitter, December 12, 2015; <https://twitter.com/Rogozin/status/675720026482176001>.

¹⁷⁰ US Department of the Treasury Press Release, March 17, 2014; www.treasury.gov/resource-center/sanctions/ofac-enforcement/pages/20140317.aspx; [Executive Order 13661 \(Mar. 19, 2014\), www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo2.pdf](http://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo2.pdf).

¹⁷¹ [Executive Order 13661 \(Mar. 19, 2014\), www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo2.pdf](http://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo2.pdf).

delegation was there.¹⁷² Documents provided in this investigation raise questions about this characterization. They show Butina planned a meeting for Brownell with Rogozin because Rogozin was “responsible for the productions of ALL Russian arms.” Brownell had previously characterized the trip to his company’s Director of Compliance as an opportunity to “introduce our company to the governing individuals throughout Russia.”¹⁷³

Documents show that before the delegation’s travel, Paul Erickson confirmed to Brownell via email that he would personally “benefit greatly” from private meetings Butina had offered with Russian arms manufacturers.¹⁷⁴ Erickson also highlighted a “private meeting with the First Deputy Prime Minister responsible for the productions of ALL Russian arms—the unofficial leader of the Russian military industrial complex.”¹⁷⁵ Butina provided this same description verbatim to David and Donna Keene, who then shared it with Hallow and then-NRA President Cors in a November 2015 email.¹⁷⁶ Rogozin’s bio was also included on an itinerary sent later that same month by Butina to Brownell noting, “[t]he time has not been scheduled yet.”¹⁷⁷

Additional contemporaneous documents show Brownell’s Director of Compliance informed Brownell that he could, in fact, legally meet with Rogozin while in Moscow only because he was traveling as a member of the NRA’s delegation and would not be meeting with Rogozin in a business capacity:

... I think we’re on solid ground if the purpose of those SDN persons attending meetings is simply good will—i.e. the exchange of ideas is not between you and these individuals but rather between the NRA and The Right to Bear Arms group.¹⁷⁸

The schedules for Brownell and Keene show both planned to meet with representatives of the Russian Practical Shooting Federation the morning of December 12, 2015.¹⁷⁹ Keene later told the *Daily Beast* in 2017 that Rogozin was chair of the Russian Shooting Federation and claimed the visit was non-political and specifically related only to their shared interest in firearms:¹⁸⁰

Rogozin is chairman of the Russian Shooting Federation and his Board hosted a tour of Federation HQ for us while we were there ... It was non-political. There were at least 30 in attendance and our interaction consisted of thanking him and his Board for the tour.¹⁸¹

The meeting between the NRA and the Russian Practical Shooting Federation appears to have provided Brownell and Keene the opportunity to meet with Rogozin in a manner that conformed to the conditions outlined by Brownell’s director of compliance.

¹⁷² Faegre Baker Daniels interview, June 14, 2019.

¹⁷³ Pete Brownell email to Rob McAllister, November 2, 2015 (Brownell Production #00778).

¹⁷⁴ Paul Erickson email to Pete Brownell, November 18, 2015 (Brownell Production #00048).

¹⁷⁵ Maria Butina email to Rob McAllister, October 13, 2015 (Brownell Production #00031); Paul Erickson email to Pete Brownell, November 18, 2015 (Brownell Production #00048).

¹⁷⁶ Donna Keene email to Allan Cors and Millie Hallow, November 13, 2015 (NRA Production #0001917).

¹⁷⁷ Maria Butina email to Pete Brownell, November 27, 2015 (Brownell Production #00128).

¹⁷⁸ Rob McAllister email to Pete Brownell, November 25, 2015 (Brownell Production #00798).

¹⁷⁹ Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093); Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

¹⁸⁰ *Id.*

¹⁸¹ *The Daily Beast*, Top Trump Ally Met With Putin’s Deputy in Moscow, March 7, 2017; www.thedailybeast.com/top-trump-ally-met-with-putins-deputy-in-moscow.

The travel itineraries prepared by NRA staff for Keene and Brownell also included biographical information for several individuals whose names do not appear on either NRA representatives' detailed schedules, including Igor Shchyogolev, Sergei Lisowski, and Sergey Yastrzhembsky.¹⁸²

NRA briefing materials provided to Keene and Brownell identify **Igor Shchyogolev** as a "special assistant of president Putin."¹⁸³ According to an archived RIA Novosti biography for Igor Shchyogolev, he served as an advisor to then-Prime Minister Putin in 1999, as chief of Kremlin Protocol in 2004, and as Minister of Communications and Mass Media in Putin's second cabinet.¹⁸⁴ Shchyogolev was designated as an SDN by OFAC in July 2014.¹⁸⁵

NRA briefing materials provided to Keene and Brownell identify **Sergei Lisowski** as a Russian Senator, confidant of former president Boris Yeltzin, and TV show host on Russian network RBK TV, which is owned by Russian oligarch Mikhail Prokhorov.¹⁸⁶ According to a 2011 media report, Prokhorov announced that he would "lead a liberal Russian political party with close ties to the Kremlin" which critics have claimed is "nothing more than a fake opposition intended to help give Russia the semblance of a true multiparty democracy."¹⁸⁷

NRA briefing materials provided to Keene and Brownell identify **Sergey Yastrzhembsky** as a Russian Federation politician and diplomat, as well as a former spokesperson for both presidents Yeltzin and Putin.¹⁸⁸ At least one 2013 foreign media report identified Yastrzhembsky as "Putin's policy chief."¹⁸⁹ Another, from 2008, linked Yastrzhembsky to plans to establish a joint Russian-Italian investment bank by Italian bank Intesa Sanpaolo Group, Gazprombank, and Vnesheconombank (VEB).¹⁹⁰ Intesa has reportedly won favor with the Kremlin for facilitating financial transactions between the Russian and Qatari governments.¹⁹¹ The institution was also implicated in an alleged money-laundering scheme between an aide to far right Italian Deputy Prime Minister Matteo Salvini and several unidentified

¹⁸² Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093); Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

¹⁸³ *Id.*

¹⁸⁴ RIA Novosti, "Russia Profiles.org," accessed via the Internet Archive; https://web.archive.org/web/20150310044614/http://russiaprofile.org/bg_people/resources_whoiswho_alphabet_s_s_hchyogolev_i_o.html.

¹⁸⁵ Treasury Designation, www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20140716.aspx; noting that Igor Shchyogolev is sometimes identified as Igor Shchegolev.

¹⁸⁶ Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093); Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

¹⁸⁷ *New York Times*, Russian Billionaire Announces Plan for Political Party, May 16, 2011; www.nytimes.com/2011/05/17/world/europe/17russia.html.

¹⁸⁸ Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093); Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

¹⁸⁹ *The London Evening Standard*, Making money from money is like aerobatics. You compete only against yourself and the market, May 24, 2013; www.pressreader.com/uk/evening-standard-west-end-final-extra-es-magazine/20130524/281977490152215.

¹⁹⁰ Russian language reporting indicates that Yastrzhembsky worked as an assistant to President Medvedev until May 2008 when he was dismissed from his position and linked to a new role creating a joint Russian-Italian investment bank. *RIA Novosti*, Медведев освободил Ястржембского от должности помощника президента РФ, May 14, 2008; <https://ria.ru/20080514/107325017.html>.

¹⁹¹ *Reuters*, Intesa set for more Russia deals after winning Putin's favor over Rosneft, May 18, 2017; www.reuters.com/article/us-russia-italy-intesa-sp/intesa-set-for-more-russia-deals-after-winning-putins-favor-over-rosneft-idUSKCN18E1QE.

Russians in 2018. The scheme reportedly involved plans to “covertly channel tens of millions of dollars of Russian oil money to Salvini’s Lega party,” potentially through Intesa.¹⁹²

Brownell told Minority Committee staff via counsel that he did not recall meeting Igor Shchyogolev.¹⁹³ However, the Department of Justice included with its sentencing memo in *United States vs. Butina* a verbatim translation of documents seized from Butina, including one titled, “Note on Forming a Channel of Informal Communication between Russia and the USA,” stating the NRA delegation met with Shchyogolev as well as another individual not named in any documents provided to the Committee, Yury Trutnev. In the translated document, Butina outlined a strategy for creating an informal backchannel of communication between the Russian and American governments. The document included a reference to an organization, redacted in the document, that “made its first official visit to Moscow” in December 2015, where it met with “S. Lavrov,” “I. Shchegolev,” “Yu. Trutnev” and “D. Rogozin.”

In February 2016 [redacted] met with [redacted] Deputy Chairman of the TsB RF and Maria Butina, founder of the Russian national civic movement Right to Bear Arms. The meeting took place at the Americans’ initiative. [Redacted] had met previously with [redacted] at the time of his trip to Moscow in 2012 and has a genuine and deep respect for [redacted]. Ms. Butina is united with [redacted] by the presence of mutual friends in the [redacted], which in December 2015 made its first official visit to Moscow, where it met with, among others, S. Lavrov, Minister of Foreign Affairs, I. Shchegolev and Yu. Trutnev, Assistants to the President, and also D. Rogozin, Vice-Premier.¹⁹⁴

According to the Russian government, Trutnev, a former Natural Resources Minister, has served as the Deputy Prime Minister and Presidential Plenipotentiary Envoy to the Far Eastern Federal district since August 2013.¹⁹⁵ committee minority staff were unable to independently verify whether the meeting with Shchegolev and Trutnev occurred.

The NRA delegation met with an individual Butina identified as “Putin’s Campaign Manager”

Emails provided to committee minority staff show that Butina arranged for the NRA delegation to meet with someone she claimed was Putin’s campaign manager. On November 5, 2015, Donna Keene emailed NRA delegation, “I am so honored to send the approved bios and contact information for our Moscow trip December 8-13 ... We’ll get to meet and talk to Putin’s campaign manager, the heads of agencies ... and some amazing other leaders in Russia.”¹⁹⁶ In a November 13, 2015, email to David and Donna Keene, Butina identified the individual she claimed, “runs President Putin’s presidential campaigns” as a gourmet chef who would personally cook for the NRA delegation at his estate.¹⁹⁷

Butina did not name the individual in the email to the Keenes but the individual she described matches an Igor Pisarsky from trip documents. Itineraries prepared by Butina’s gun rights organization include a

¹⁹² *BuzzFeed*, Revealed: The Explosive Secret Recording That Shows How Russia Tried To Funnel Millions To The “European Trump,” July 10, 2019; www.buzzfeednews.com/article/albertonardelli/salvini-russia-oil-deal-secret-recording.

¹⁹³ Faegre Baker Daniels interview, June 14, 2019.

¹⁹⁴ United States’ Memorandum in Aid of Sentencing at Exhibit 7, *United States v. Mariia Butina*, No. 18-CR-218-TSC (D.D.C. Apr. 19, 2019) <https://assets.documentcloud.org/documents/5972875/4-19-19-US-Sentencing-Memo-Butina.pdf>.

¹⁹⁵ Russian government, <http://government.ru/en/gov/persons/21/events/>.

¹⁹⁶ Donna Keene email to NRA Russia delegation, November 5, 2015 (Gregory Production #00087).

¹⁹⁷ Maria Butina email to David and Donna Keene, November 13, 2015 (NRA Production #0001917).

planned “Private Home Luncheon” hosted by Igor Pisarsky, who is identified as “one of Russian (sic) top managers in PR and governmental relations” and as “a gourmet and chef.”¹⁹⁸ Additional documents show that NRA officials invited Pisarsky to attend the organization’s 2016 convention in Louisville, Kentucky.¹⁹⁹

The Keene and Brownell itineraries both include a scheduled “private lunch with Igor Pisarsky” on December 10, 2015, with overlapping times. Keene’s schedule shows a 1 p.m. to 2 p.m. lunch while Brownell’s shows a 1:30 p.m. to 3 p.m. lunch.²⁰⁰ After returning from Moscow, Brownell instructed NRA staff to invite to the NRA 2016 Annual Meeting a list of individuals that Butina had provided him. The list included Pisarsky and a note from Brownell acknowledging, “while in Russia, I did publically (sic) invite all of these people to attend the NRA’s 2016 Annual Meeting.”²⁰¹ According to public reporting, Pisarsky also served as an intermediary between Butina and Russian oligarch Konstantin Nikolaev, who Butina reportedly told the Senate Select Committee on Intelligence provided funding for her gun rights organization.²⁰²

The NRA delegation met with multiple Russian oligarchs who are reportedly close to Putin during their trip

Documents reviewed by committee minority staff show the NRA delegation planned to meet with several Russian oligarchs while in Russia. The delegation, and Pete Brownell and David Keene in particular, planned to meet with *Konstantin Nikolaev*, *Pavel Gusev*, and *Vadim Zadorozhny*. Brownell confirmed in a January 2016 email to NRA staff that the delegation met with Gusev and Zadorozhny.²⁰³

Konstantin Nikolaev does not appear on any itineraries prepared by the NRA that were provided to Committee staff, but an itinerary that Butina provided directly to Brownell identified Nikolaev as a “special guest” for a 1:30pm lunch on December 10, 2015 at Pisarsky’s residence.²⁰⁴ Additionally, the “Russia Gifts for Donna” document provided by the NRA shows that the Keenes planned to give Nikolaev and Pisarsky gifts during a December 10, 2015, lunch.²⁰⁵ Recent reporting has also identified Nikolaev as “a discreet source of funds for business ventures useful to the Russian military and security services.” According to that same report, Nikolaev “has acknowledged underwriting [Butina’s] gun rights advocacy in the past.”²⁰⁶

¹⁹⁸ Right to Bear Arms Itinerary for Russian NRA delegation, December 8-13, 2015 (NRA Production #0001935).

¹⁹⁹ NRA letter to Igor Pisarsky, March 25, 2016 (NRA Production #0000391).

²⁰⁰ Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093); Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

²⁰¹ Pete Brownell email to David Keene and Nicholas Perrine, January 26, 2016 (NRA Production #0001351).

²⁰² *The Daily Beast*, This Is Accused Russian Spy Maria Butina’s Secret Money Man in Moscow, Sources Say, August 9, 2018; www.thedailybeast.com/exclusive-this-is-accused-russian-spy-maria-butinas-secret-money-man-in-moscow-sources-say.

²⁰³ After Butina sent Brownell a list of Russian nationals she wanted him to invite to the NRA’s 2016 Annual Meeting, he forwarded her email to Nicholas Perrine and David Keene, acknowledging, “while in Russia, I did publically invite all of these people to attend the NRA’s 2016 Annual Meeting.” Butina’s list included Pavel Gusev, Vadim Zadorozhny, and Igor Pisarsky. Pete Brownell email to David Keene and Nicholas Perrine, January 26, 2016 (NRA Production #0001351).

²⁰⁴ Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093); Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117); Maria Butina email to Pete Brownell and Right to Bear Arms itinerary, November 27, 2015 (Brownell production #00128).

²⁰⁵ Word Document, “Russia Gifts for Donna,” December 8 – 13, 2015 (NRA Production #0000134).

²⁰⁶ *The New York Times*, Billionaire Backer of Maria Butina Had Russian Security Ties, September, 21, 2018; www.nytimes.com/2018/09/21/us/politics/maria-butina-russian-oligarch.html.

The Keene and Brownell itineraries also include a scheduled dinner hosted by Russian media oligarch **Pavel Gusev** on December 9, 2015.²⁰⁷ Before the delegation's travel to Moscow, Butina described the meeting with Gusev to David and Donna Keene as:

A private dinner at the hunting estate of the leading media oligarch in all of Russia. He owns 84 newspapers that print 28 million daily copies in 12 countries (including all six of Russian largest hunting magazines). He has served for 10 years as the president of the association of Russian journalists and is the unofficial media advisor to President Putin.²⁰⁸

Butina further explained to Keene that earning Gusev's goodwill could help him secure an interview with Putin for the Washington Times, "His good word—along with Torshin's—can secure your personal interview with President Putin for the Washington Times."²⁰⁹

Brownell's itinerary includes a 30-minute carve-out prior to the dinner for a meeting with Gusev.²¹⁰ According to a Russian Ministry of Defense press release, Gusev was serving as Chairman of the Public Council for the Defense Ministry at the time he met with NRA officials in Moscow.²¹¹ Foreign media reporting also linked Gusev to President Putin's re-election campaign in 2018.²¹² NRA documents show that following the Moscow trip, Gusev was invited to the NRA's 2016 annual convention in Louisville, Kentucky.²¹³

The travel itineraries prepared by NRA staff for Keene and Brownell also included biographical information for Russian real estate oligarch **Vadim Zadorozhny**.²¹⁴ NRA briefing materials provided to Keene and Brownell identify Zadorozhny as a Russian real estate oligarch.²¹⁵ A 2017 *Guardian* report linked Zadorozhny to a \$20 billion money-laundering scheme that was discovered by the Organized Crime and Corruption Reporting Project (OCCRP), "a highly respected independent collective of investigative reporters, which is part-funded by the US Department of State."²¹⁶

In addition to the meetings with oligarchs, the NRA delegation planned to meet with individuals associated with **Kalashnikov Concern**, an arms manufacturer designated as an SDN by OFAC in July 2014.²¹⁷ As a designated entity under Executive Order 13361, all assets of Kalashnikov Concern within

²⁰⁷ Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093); Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

²⁰⁸ Maria Butina emailed this information to the Keenes on November 13, 2015. Donna Keene forwarded the email to Allan Cors and Millie Hallow the same day. Paul Erickson provided it in a later November 18, 2015 email to Pete Brownell; Maria Butina email to David Keene, November 13, 2015 (NRA Production #0001917); Paul Erickson email to Pete Brownell, November 18, 2015 (Brownell Production #00048).

²⁰⁹ *Id.*

²¹⁰ Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

²¹¹ Ministry of Defense of the Russian Federation, December 21, 2015; http://eng.mil.ru/en/news_page/country/more.htm?id=12072215@egNews.

²¹² RIA Novosti, Главред "МК" планирует сообщать Путину о проблемах в стране, January 21, 2018; <https://ria.ru/politics/20180112/1512500379.html>.

²¹³ NRA Frazer letters, March 25, 2016 (NRA Production #0000276).

²¹⁴ Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093); Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117).

²¹⁵ *Id.*

²¹⁶ *The Guardian*, How 'dirty money' from Russia flooded into the UK – and where it went, March 20, 2017; www.theguardian.com/world/2017/mar/20/how-dirty-money-from-russia-flooded-into-the-uk-and-where-it-went.

²¹⁷ US Treasury Department Press Release, July 16, 2014; www.treasury.gov/press-center/press-releases/Pages/jl2572.aspx (describing **Kalashnikov Concern** as "the largest firearms producer in Russia and is a subsidiary of Russia's State Corporation of Russian Technologies (Rostec)").

the United States are “blocked.” Further, transactions with U.S. persons are generally prohibited, in particular U.S. persons cannot make or receive “any contribution or provisions of funds, goods, or services” to or from Kalashnikov.

A November 2015 email from Donna Keene to Brownell and NRA staff included an attachment labeled “Russian VIP NRA Delegation Itinerary.” The document appears to have been prepared by the Right to Bear Arms organization and included a scheduled hour-long interview between Cors and the chief editor of Kalashnikov Magazine, Michael Degtyarev. The included biography for Degtyarev reads, “Kalashnikov and Degtyarev had been close friends since 1995. Kalashnikov was a godfather of Mr. Degtyarev’s son.”²¹⁸ The “Russia Gifts for Donna” document provided by the NRA shows that the Keenes planned to give a gift to a “Michael Degtyarev” on the morning they planned to meet with the Russian Practical Shooting Federation.²¹⁹ According to Kalashnikov’s website, Degtyarev has written dozens of articles for the company’s promotional magazine, many discussing the Russian Practical Shooting Federation and events the organization has hosted.²²⁰

On November 27, 2015, Butina emailed Brownell an updated itinerary that included a scheduled one-hour “Interview of Pete Brownell and Jim Liberatore by Russian major gun magazine ‘Kalashnikov’” at the Hotel Metropol in Moscow.²²¹ On the morning of December 12, Butina emailed Brownell a set of questions ahead of his scheduled interview with Kalashnikov Magazine. One of the questions specifically related to his assessment of U.S. sanctions against Kalashnikov.²²² On January 20, 2016, the Kalashnikov Magazine website published an article, without attribution, about the NRA delegation’s visit featuring the trademarked NRA logo.²²³

NRA officers and representatives had multiple interactions with sanctioned individuals and entities

Federal sanctions laws and implications for tax exempt law

As described above, OFAC administers and enforces sanctions targeting particular businesses, groups, or individuals owned or controlled by, or acting for or on behalf of, targeted countries. These businesses, groups, or individuals are known as SDNs and are subject to having their assets blocked or frozen in the United States. Further, “U.S. persons,” defined as U.S. companies, U.S. citizens or residents, persons inside the United States, and branch offices of U.S. companies “are generally prohibited from dealing with them.”²²⁴

More specifically, under the Ukraine/Russia sanctions program, unless otherwise authorized or exempted, transactions by U.S. persons or in the United States are prohibited if they involve transferring, paying, exporting, withdrawing or otherwise dealing in property or interests in property of SDNs.²²⁵ Furthermore, U.S. persons are not permitted to make a contribution or provision of funds, goods, or services by, to, or

²¹⁸ Donna Keene email and “Russian VIP NRA Delegation Itinerary,” November 24, 2015 (NRA Production #0001928).

²¹⁹ Word Document, “Russia Gifts for Donna,” December 8 – 13, 2015 (NRA Production #0000134).

²²⁰ Kalashnikov website, www.kalashnikov.ru/tag/mihail-degtyaryov.

²²¹ Maria Butina email to Pete Brownell, November 27, 2015 (Brownell Production, #00128).

²²² Maria Butina email to Pete Brownell, December 12, 2015 (Brownell Production #00323).

²²³ Kalashnikov, NRA in Russia, January 20, 2016; www.kalashnikov.ru/nra-v-rossii/.

²²⁴ OFAC Website, SDN and Blocked Persons List, www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx.

²²⁵ OFAC, Ukraine/Russia-Related Sanctions Program, updated June 16, 2016, www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine.pdf. See also EO, 13660.

for the benefit of an SDN, or to receive any contribution or provision of funds, goods, or services from any such person.²²⁶ Finally, the Executive Order clarifies that transactions that evade or avoid these prohibitions or conspires to do so are also prohibited.²²⁷

As discussed previously, an organization may not be treated as exempt under section 501(c)(4) if the organization's primary activity does not promote social welfare.²²⁸ Courts have also held that a section 501(c)(4) organization is not entitled to continued exempt status if its non-exempt activities are "substantial" or if it is operating primarily for the benefit of its members rather than the community as a whole.²²⁹ Similarly, IRS has held that illegal acts may disqualify an organization from tax exempt status under section 501(c)(4). For example, the IRS stated that an organization communicating with, and encouraging members to communicate with, foreign governments in violation of the Logan Act would constitute an illegal act sufficient to disallow exempt status.²³⁰

Meetings with SDNs and subsidiaries of SDNs

Documents show that NRA delegation members met with individuals designated in their own right as SDNs, including **Dmitry Rogozin** and **Igor Shchyogolev**. Further, NRA delegation members met with employees, officers and other representatives of the following designated entities or entities owned or controlled by SDNs: **Kalashnikov Concern** (Degtyarev), **Molot-Oruzhie** (Kalashnikov and Rostec subsidiary), and **Tula Cartridge Works** (Svetlana Nikolaev, board member, Konstantin Nikolaev, oligarch and part owner, Rostec subsidiary). Brownell's counsel additionally noted that Svetlana Nikolaev's husband, Konstantin Nikolaev, owned the "Tula Ammo Factory."²³¹ According to additional reporting, Svetlana Nikolaev also sits on the board of TPZ (Tula Cartridge Works, JSC).²³²

Documents also show Butina planned a five-hour meeting for Pete Brownell with **TsNIITochMash**, the Central Research Institute for Precision Machine Building (another subsidiary of Rostec), though Brownell asserted through counsel that he did not remember if he met with TsNIITochMash. Each of these individuals and entities have been designated as SDNs by OFAC or are subsidiaries or representatives of SDNs.

The NRA delegation also toured manufacturing facilities for Russian weapons manufacturer Orsis and subsequently appeared in the company's promotional materials.²³³ While public information appears to show that **Orsis** is privately held, the company's relationship to the Russian government and Dmitry Rogozin specifically, raises additional questions about its ownership and controlling interests that merit further investigation. Rosoboronexport, a Rostec subsidiary, appears to act as an international distributor for Orsis rifles.²³⁴ Further, an investigation by the Organized Crime and Corruption Reporting Project revealed Rogozin's potential influence over the company:

²²⁶ Executive Order 13660, Section 4.

²²⁷ Executive Order 13660, Section 5.

²²⁸ See policy discussion at page 9.

²²⁹ See *supra* note 35

²³⁰ GCM 37741, GCM 34823.

²³¹ Faegre Baker Daniels interview, June 14, 2019.

²³² *The Guardian*, Maria Butina's alleged backer linked to Kremlin-financed bank and Putin associates, August 6, 2018; www.theguardian.com/world/2018/aug/06/maria-butina-charged-spying-putin-russia-kremlin.

²³³ YouTube, "The NRA delegation at Orsis," January 20, 2016; www.youtube.com/watch?v=zInAXfvdzSE

²³⁴ Rosoboronexport Press Release: Rosoboronexport signs contracts to supply Russian small arms and close combat weapons abroad at Army 2019, June 27, 2019; <http://roe.ru/eng/press-service/press-releases/rosoboronexport-signs-contracts-to-supply-russian-small-arms-and-close-combat-weapons-abroad-at-army/>.

In 2010, [Nikolaev] became co-owner of Promtehnologii, the company that controlled Orsis, a major rifle company based in Moscow. And ever since Promtehnologii was established, Dmitry Rogozin's son Alexey has been the company's deputy general director.

In 2012, when Dmitry Rogozin was appointed deputy prime minister and supervisor of Russia's military-industrial commission, a scandal erupted about the conflict of interest.

In an emotional post on his Facebook page, Rogozin wrote: 'At a family meeting, my son and I took the difficult decision that he leave the company to avoid any speculation about a conflict of interest,' he explained. 'Our family has always, for centuries, been involved with the army. For us honor, integrity and reputation are more than just words.'

But after a while, Rogozin's son was replaced by Roman Rogozin, the elusive nephew.²³⁵

On March 17, 2014, nearly two years before NRA officers met with him in Moscow, the United States authorized sanctions against Rogozin for his role in the Russian government's annexation of Crimea.²³⁶

On July 16, 2014, in response to continued Russian efforts to destabilize eastern Ukraine, the United States authorized sanctions against additional individuals for continued Ukraine-related activity, including Shchyogolev, who Treasury identified as an "Aide to the President of the Russian Federation."²³⁷

On July 16, 2014, and "in response to Russia's continued attempts to destabilize eastern Ukraine and its ongoing occupation of Crimea, the U.S. Department of the Treasury ... imposed a broad-based package of sanctions on entities in the financial services, energy, and arms or related materiel sectors of Russia, and on those undermining Ukraine's sovereignty or misappropriating Ukrainian property." Russia's State Corporation for Assistance to Development, Production and Export of Advanced Technology Industrial Product (Rostec) and Rostec subsidiary Kalashnikov Concern, the largest firearms producer in Russia, were included in those sanctions.²³⁸ The United States had already sanctioned Rostec's then-CEO, Sergei Chemezov.²³⁹ Rostec also identifies "Tula Cartridge Plant PJSC" as a subsidiary of its High Precision Systems holding company.²⁴⁰

Molot-Oruzhie, a manufacturing facility Butina arranged for Brownell to tour, also appears to have been majority-owned by Rostec and Kalashnikov Concern at the time of his visit.²⁴¹ According to a December 13, 2012, press release, Rostec backed Molot Firearms with a 100 million ruble loan in August of 2012,

²³⁵ OCCRP, Secret Deals Undermined Tech Firm Working for Russian Military, June 26, 2018;

www.occrp.org/en/investigations/8252-secret-deals-undermined-tech-firm-working-for-russian-military.

²³⁶ *Business Insider*, Obama Just Announced Sanctions Against 7 Russian 'Cronies,' March 17, 2014;

<http://www.businessinsider.com/crimea-vote-referendum-sanctions-obama-putin-2014-3>.

²³⁷ US Department of the Treasury Press Release, July 16, 2014; www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20140716.aspx.

²³⁸ The State Department determined through the implementation of Section 231 of the Countering America's Adversaries Through Sanctions Act of 2017 (CAATSA) that Kalashnikov Concern JSC among several other companies, was operating for or on behalf of the defense sector of the Russian Federation and thus, subject to certain additional sanctions; US Department of State, October 27, 2017; www.state.gov/t/isn/caatsa/275116.htm; US Treasury Department Press Release, July 16, 2014; www.treasury.gov/press-center/press-releases/Pages/jl2572.aspx.

²³⁹ US Treasury Department Press Release, April 28, 2014; www.treasury.gov/press-center/press-releases/Pages/jl2369.aspx.

²⁴⁰ Rostec website, last accessed September 6, 2019; <https://rostec.ru/en/about/companies/142/>.

²⁴¹ Maria Butina email to Pete Brownell, November 28, 2015 (Brownell #00194).

ensuring Molot's continued operation. Rostec and Kalashnikov Concern subsidiary "OAO Concern Izhmash" then became majority shareholders in Molot.²⁴²

The United States eventually directly sanctioned Molot in 2017, noting that in 2016, Kalashnikov Concern had advised a foreign company to falsify invoices by using Molot to evade sanctions.²⁴³ The foreign company was not identified.

TsNIITochMash, the company Butina planned a five-hour meeting with for Brownell, is a subsidiary of state-owned Rostec that designs weapons and equipment for the Russian military.²⁴⁴ Brownell confirmed through his attorney that he visited the Molot plant, but according to his counsel, he does not remember meeting with a TsNIITochMash representative.²⁴⁵

According to public reporting, a spokesperson for Brownell claimed in February 2019 that he had his company's compliance team review his Russia itinerary with the U.S. State Department:

A spokesperson for Brownell, who runs a guns-and-ammo retail business, said he checked with the State Department before traveling to Russia. 'Pete accepted the invitation to join this trip with the understanding that it was an NRA-related event organized with the support of the organization,' the spokesperson said. 'He welcomed the opportunity to meet with folks who share his passion for hunting, and to further understand how Brownells can continue to be successful in overseas markets. He had his company's compliance team review the itinerary with the State Department ahead of time and carefully followed their guidance before, during and after the trip.'²⁴⁶

However, on June 14, 2019, Brownell clarified through his counsel that he was not aware whether anyone from his company contacted the State Department. Counsel asserted that Rob McAllister, the Brownells Director of Compliance, contacted the US Treasury Office of Foreign Assets Control (OFAC) about the itinerary. Counsel further asserted Brownell was not required to notify the State Department about his travel and declined to provide any additional documentation related to the McAllister-OFAC call.²⁴⁷

A November 24, 2015, email from McAllister shows that after he received a copy of the Moscow trip itinerary, he told Brownell he would "run the names through all the watch lists."²⁴⁸ The next day, McAllister emailed Brownell that he had spoken to OFAC and determined Brownell could move forward with plans to meet individuals on the itinerary who appeared on Treasury's SDN list because he was traveling to Russia as a member of an NRA delegation meeting with the Right to Bear Arms group:

Hi Pete,

I followed through with OFAC regarding the people on the itinerary. The last two guys on the list hit the OFAC 'Specially Designated Nationals' (SON) (sic) list of people to

²⁴² Rostec Press Release, December 13, 2012; <https://rostec.ru/en/news/832/>.

²⁴³ US Treasury Department Press Release, June 20, 2017; www.treasury.gov/press-center/press-releases/Pages/sm0114.aspx.

²⁴⁴ TsNIITochMash, About the Enterprise, last accessed September 6, 2019; <http://www.cniitm.ru/our-institute/history/>.

²⁴⁵ Faegre Baker Daniels interview, June 14, 2019.

²⁴⁶ *The Daily Beast*, Boyfriend's Email: Butina 'Manipulated' Russian Spy Agency for NRA Trip, February 14, 2019; www.thedailybeast.com/boyfriends-email-butina-manipulated-russian-spy-agency-for-nra-trip.

²⁴⁷ Faegre Baker Daniels interview, June 14, 2019.

²⁴⁸ Rob McAllister email to Pete Brownell, November 24, 2015 (Brownell Production #00796).

avoid. I specifically asked OFAC the question of meeting individuals like these if no business is transacted. Their response was that "the general rule of thumb, not necessarily a hard-and-fast rule" is to avoid a meeting if the SON (sic) could 'derive a benefit' from the interaction ... especially if the meeting could be described as you providing a service to the SON (sic) individual. The advice was to be cautious and be aware that you should provide no benefit to those SON (sic) persons. If we want we can set up a further call with them to talk details, but ***I think we're on solid ground if the purpose of those SON (sic) persons attending meetings is simply good will - i.e. the exchange of ideas is not between you and these individuals but rather between the NRA and The Right to Bear Arms group.***²⁴⁹

The "last two guys on the list" who McAllister identified as appearing on the Specially Designated Nationals list appear to be Igor Shchyogolev and Dmitry Rogozin based on the itinerary Brownell provided to him on November 24, 2015.²⁵⁰

The guidance provided by Brownell's compliance director—based on discussions with OFAC—was to avoid a meeting if the SDN person or entity could "derive a benefit" from the interaction, especially if the U.S. person could be described as providing a service to the individual. This is consistent with the requirement that interests in SDN property not be "transferred, paid, exported, withdrawn, or otherwise dealt in" by U.S. persons, and in particular, U.S. persons not make or receive "any contribution or provisions of funds, goods, or services" to or from such persons or entities.²⁵¹ Notably, McAllister justified Brownell's meetings with these individuals based on the NRA's sponsorship of the trip.

This report concludes that some members of the NRA delegation traveled to Russia to cultivate future business opportunities. Some of these NRA members also met with sanctioned individuals. Further, members of the NRA delegation provided interviews, permitted the use of trademarked NRA logos, and appeared in promotional material for a sanctioned Russian arms manufacturer in their official capacity as representatives of the NRA. These interactions raise significant concerns under U.S. sanctions law. As described previously in this report, U.S. sanctions law does not prohibit meeting with SDNs, but does bar U.S. persons dealing in present, future, or contingent property interests of SDNs, including making or receiving contributions of funds, goods, or services to designated entities.

Participants' willingness to meet with sanctioned individuals, despite recognition of their SDN status and the potential political sensitivity of such meetings, enabled Butina and Torshin to further entrench themselves in the NRA.²⁵²

²⁴⁹ Rob McAllister email to Pete Brownell, November 25, 2015, emphasis added (Brownell Production #00798).

²⁵⁰ Pete Brownell email to Rob McAllister and Brownell Itinerary, November 24, 2015 (Brownell Production #00783).

²⁵¹ [Executive Order 13661 \(Mar. 19, 2014\), www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo2.pdf](https://www.treasury.gov/resource-center/sanctions/Programs/Documents/ukraine_eo2.pdf).

²⁵² Note: In July 2018, Senator Wyden requested an analysis by OFAC as to whether Kalashnikov Concern and Tula Cartridge Works have illegally evaded US sanctions by exploiting domestic shell companies. His request remains unanswered and outstanding. Senate Finance Committee Press Release: Wyden Questions Top Sanctions Enforcer on Ties Between US, Russian Arms Manufacturers and Russian Oligarchs, August 2, 2018; www.finance.senate.gov/ranking-members-news/wyden-questions-top-sanctions-enforcer-on-ties-between-us-russian-arms-manufacturers-and-russian-oligarchs.

III. Private Inurement - Russian Influence Scheme Included Opportunities and Offers for Personal Financial Gain, Which at Least One NRA Officer and One NRA Donor Pursued

Public reporting and documents provided to committee minority staff make clear that Brownell, an NRA officer, and Liberatore, donor and business associate, joined the delegation to Moscow with explicit interest in developing relationships that could allow them to later pursue profitable personal business endeavors with both private and government entities in Russia. Brownell, then-incoming NRA President, who began exploring business opportunities with Butina as early as January 2015, went to Moscow several days ahead of the rest of the NRA delegation to meet with Russian arms companies. Liberatore, then-Outdoor Channel CEO, confirmed that his interest in the delegation to Moscow was purely commercial. Joe Gregory confirmed that he held interests in Israel and the NRA regularly paid for his travel to the country. The Keenes, responsible for introducing Alexander Torshin to the NRA and its officers, appear to have sought to exploit Butina's perceived ties to the Russian government to secure an interview with Vladimir Putin.

As discussed earlier, the tax code provides that an organization may not be treated as exempt from tax under section 501(c)(4) if the organization's primary activity does not promote social welfare. Courts have held that a section 501(c)(4) organization is not entitled to continued exempt status if its non-exempt activities are "substantial" or if it is operating primarily for the benefit of its members rather than the community as a whole.²⁵³ In addition, section 501(c)(3) and (c)(4) organizations may not permit private inurement. Inurement arises whenever a person in a position to influence the decisions of an exempt organization (i.e., an "insider" of the organization) receives benefits from the organization disproportionate to her contribution to the organization (e.g., unreasonable compensation).

In addition to the general prohibition on private inurement, tax code section 4958 imposes an excise tax penalty on certain "excess benefit transactions" between the organization and specified organization insiders, referred to for this purpose as "disqualified persons." The Commissioner of the IRS may revoke the tax exempt status of an organization that engages in one or more excess benefit transactions by reason of violating the general prohibition on private inurement under section 501(c)(3) and (c)(4), after considering certain factors enumerated in the regulations.

The minority staff investigation confirms that some members of the NRA delegation participated in the Russian trip primarily or solely for the purpose of advancing personal business interests, rather than advancing NRA's tax-exempt purpose. Use of NRA's tax-exempt funds and resources in this manner raise concerns about use of tax-exempt resources for a non-exempt purpose, private inurement under section 501(c)(4), and prohibited excess benefit transactions under section 4958. These findings should be considered in the context of any other potentially improper conduct the NRA may have been engaged in. The minority staff is aware of press reports alleging additional instances of potential misuse of tax-exempt resources or potential private inurement.²⁵⁴

²⁵³ See policy discussion at p.9.

²⁵⁴ See footnote 66.

A. Pete Brownell

Brownell began discussing Russian business opportunities with Butina in early 2015

Documents provided to Committee staff by the NRA and Pete Brownell show Brownell expressed interest in exploring Russian business opportunities as early as January 2015 when he first began communicating with Maria Butina. Based on these contacts, Butina explicitly pitched Brownells' then-Director of Compliance Rob McAllister on ways to "make the company closer to the [Russian] government" to make it easier to conduct business in the country. She also appears to have worked to connect one of Brownells' subsidiary companies—Crow Shooting Supply—with Russian suppliers.²⁵⁵ Other 2015 emails show Brownell believed there was commercial value in introducing himself and his company to Russian government officials.

On January 11, 2015, Butina emailed Brownell offering to provide him information on Russian firearms manufacturers.²⁵⁶ Brownell responded:

Maria – it was a good chance to have a more substantive discussion. I hope there are more of them. I believe David Kean (sic) first introduced us on your trip a couple years back, now that I have had time to think about how long we have had chances to talk.

When regulations are favorable, Russia and surrounding countries have always been a great source for firearms, ammunition and product.

We will be at shot show, IWA and NRA show in the very near future.

We will do a review of product needs for Brownells and our wholesale companies, Crow Shooter a Supply and Gamaliel in preparation.

AND

As NASGW (NASGW.org) national association of sporting goods wholesaler) chairman it would be very good to connect our organizations to facilitate commercial connections where it makes sense.²⁵⁷

The two met again at the NRA's 2015 Winter Board meeting.²⁵⁸ After Butina informed Brownell she would be attending the NRA's 2015 Annual Meeting in Nashville, he responded:

Maria, it will be good to catch up Nashville (sic). I hope we do have time for a dinner or drinks.

I believe there's many things of changed in the rules and regulations business between our two countries to be nice to better understand where we can help each other.²⁵⁹

²⁵⁵ Brownells acquired Crow Shooting Supply in 2011. Des Moines Register, New name, same company, December 1, 2015; www.desmoinesregister.com/story/news/local/montezuma/2015/12/08/new-name-same-company/76613006/.

²⁵⁶ Butina email to Pete Brownell, January 11, 2015 (Brownell Production #00760).

²⁵⁷ Pete Brownell email to Maria Butina, January 11, 2015 (Brownell Production #00760).

²⁵⁸ Butina email to Pete Brownell, March 25, 2015 (Brownell Production #00761).

²⁵⁹ Pete Brownell email to Maria Butina, March 25, 2015 (Brownell Production #00761).

Additional emails show Butina connected with multiple Brownells employees throughout 2015. Brownells acquired Crow Shooting Supply in 2011. Steve Crow, the General Manager for Crow Shooting Supply, reached out to Butina in February of 2015 about her “contacts for Russian made ammo.”²⁶⁰ Later that year, they met in person at the National Association of Sporting Goods Wholesalers (NASGW) Convention (for which Brownell served as Chairman).²⁶¹ In a November 2, 2015, email, Butina confirmed she asked her Russian contacts about a manufacturing facility in Barnaul, Altai Krai, Russia, and explained she would “have an answer and options soon” for him.²⁶²

In October 2015, McAllister emailed Butina about finding ways for Brownells to do business in Russia “without the political risk to the Brownells brand elsewhere.”

It was wonderful to meet you today. I hope that we will be able to create new opportunities for international trade in the future. I see great potential in Russia for our industry and especially in the business model Brownells has adopted in Europe. The obstacle we currently have is to be able to pursue this model without the political risk to the Brownells brand elsewhere. Hopefully, this situation will improve, and in the mean time we will continue to look for opportunities without brand risk.²⁶³

Butina responded the next week, pitching McAllister on ways she could help Brownells do business in Russia by drawing the company closer to the Russian government:

I am sure that The Brownells has a great opportunity working in Russia. I will be in Moscow a week before The NASGW Convention and will start some talks about your company in Russia. I already have a couple of ways for this to work perfectly. But before let me know what. ***Russia as I told you is a very specific country and things work much better in my country if foreign companies do not just sale in Russia but have Russian partners. Often it helps to avoid some problems and make the company closer to the government which one more strong way of protection. What do you think if we find for The Brownells a Russian partner?*** Are you interested in that? I am doing the same for another company (not guns) from the USA so I know what I am talking about. Let me know you thoughts about this please. I will also meet some guys who could be your Russian dealers. To make this meeting productive I need from you to answer some questions about The Brownells that I will translate and present for Russians.²⁶⁴

McAllister emailed again on October 19, 2015, explaining that Brownells already had a Russian representative who conducted business without Brownells branding in order to avoid “political risks” to the brand, but expressing interest in growing their Russian business and selling on a “large-scale basis”:

You may be familiar with the Brownells Europe websites we have that expand our business in several major European countries by having a local representative and a website in the local language and currency. We actually have a Russian representative who is a part of this group, but ***the difficulty we have in adopting this model in Russia at the moment is the political risk that could damage the Brownells brand if we create a very public***

²⁶⁰ Steve Crow email to Maria Butina, February 4, 2015 (Brownell Production #00001).

²⁶¹ National Association of Sporting Goods Wholesalers Press Release: Chairman’s Commentary: December 2015, December 18, 2015; <https://nasgw.org/news/chairmans-commentary-december-2015>.

²⁶² Butina email to Steve Crow, November 2, 2015 (Brownell Production #000045).

²⁶³ Rob McAllister email to Maria Butina, October 7, 2015 (Brownell Production #00030).

²⁶⁴ Maria Butina email to Rob McAllister, October 13, 2015, emphasis added (Brownell Production #00031).

'Brownells Russia' website. So, we've allowed this Russian representative to purchase products, but not brand his website as 'Brownells.'

Until the political risks to the brand are resolved we continue to ship direct to consumers as well as larger dealers. We would be pleased if you could connect us with more of these types of customers - or in finding ecommerce retailers in Russia who could resell our products on a large-scale basis (without the need to adopt the brand).²⁶⁵

The following week, Butina emailed Brownell to pitch him on joining the NRA's Russia delegation, claiming the trip would be good for his personal business because it would include meetings with Russian VIPs involved in gun manufacturing and close to the Russian government. Butina went on to pitch Brownell on traveling to Russia ahead of the NRA's delegation to explore potential business deals with gun manufacturers she had lined up:

Dear Pete,

We will discuss more about the question below when we meet but before I would like to give you some information to think about.

As you already know from David and Donna Keene (I hope you do) they will be happy if you will join the NRA Moscow trip in December 2015 (it is great - the whole generation of the NRA presidents is coming: past - Keene, current - Cors and future - Brownell).

According to your plans about Russian market it would be very good trip for this purpose. In the NRA group's schedule there are some meeting with Russian VIP including people how (sic) are responsible for our gun manufacturing and close to Russian government, they will also have a tour to one of Russian private gun factory located in Moscow (how are very much interested business with the US), plus in the program is the meeting with The Right To Bear Arms members and I very much hope that you will have a speech there. My people are very excited! Of course, I have arranged some amazing tours to The Red Square, The Kremlin, Russian private tank and car museum, best restaurants of Russian cuisine and etc. The trip is schedule from the 8th of December till 13th of December 2015. So it would be great if you could find some free time to come.

But especially for you and your company I have something more. During this week that I have spent in Moscow I had several meeting with key people in Russian gun retail and manufacturing, as well as with some manufactories of gun accessorizes (sic) and supplies, and we talked about The Brownells. They are ready to meet you and talk about export and import deals. One of the companies (they do Kalashnikov modifications, SYD and etc.) is located far away from Moscow. It is 2 days trip but could be really very good for your business. They are private, not under sanctions, they sale some of their guns and supplies to the US now but would like to do more and have business with some reliable and big company. They invite you and me (you could also take anyone who you suppose would be useful for the negotiations) as an honorable guests to visit their factory and talk about business.

Here is what I would recommend. I offer you to combine the NRA trip with our separate trip and negotiations about your business in Russia. In this case you will need to come 3-4

²⁶⁵ Rob McAllister email to Maria Butina, October 19, 2015, emphasis added (Brownell Production #000033).

days earlier than the rest of the group, for example, on the 4th of December and leave with the group on the 13th of December. For these 4 extra days I will schedule for you all meetings in Moscow and we will do the trip to the factory away from Moscow.

The Right to Bear Arms pays for the NRA group staying in Moscow - we cover all expenses (hotel, meals, excursions and etc.) but it is all budget that we have so we can not pay for the extra days for you. It will be not so expensive - this is Russia - our currency is bad compare with dollar.

I will be happy to answer to any questions that you have about this idea and waiting for you decision.

Good luck and see you soon!²⁶⁶

Brownell made his NRA travel to Moscow contingent on his ability to explore personal business deals, explicitly stating, "I am not interested in attending if just an nra trip"

In addition to his participation in the scheduled NRA delegation events, Brownell agreed to Butina's proposed trip and traveled to Moscow three days ahead of the rest of the NRA's group to meet with various Russian gun manufacturers.²⁶⁷ According to documents provided to committee minority staff, the opportunity to conduct these meetings was key to Brownell's involvement in the NRA trip. Brownell explicitly noted first that "I am not interested in attending if [it is] just an NRA trip," and later "I [do not] want to spend the time if it does not provide Brownells or Crow with an import or export opportunity."

On November 2, 2015, Brownell forwarded Butina's October 25 email to Rob McAllister, then-Director of Compliance at Brownells. In that email, Brownell made clear to McAllister that he was not interested in participating in the NRA delegation's trip unless he could explore business opportunities and further, that he understood the value in introducing his company to "the governing individuals throughout Russia":

There is an opportunity to be hosted in Russia to broaden our business opportunities. This is a joint nra trip.

Read below. ***I am not interested in attending if just an nra trip.*** I am also not interested if we are rushing into a market before its time. ***This would be strictly diplomatic trip to introduce our company to the governing individuals throughout Russia.***

Is it time to attend Russia?

As a side note: is there any state or DOD clearance needed if I go?²⁶⁸

Later that month, Brownell confirmed again in an email to Brownells staff his explicit desire to travel to Moscow to explore business opportunities. On November 27, 2015, he forwarded to McAllister and another Brownells employee an email from Butina in which she claimed his participation in the trip to Moscow "would DEFINITELY be profitable." Brownell wrote:

I am going early to Russia to visit forearm (sic) and ammunition companies.

²⁶⁶ Maria Butina email to Pete Brownell, October 25, 2015, emphasis added (Brownell Production #00043).

²⁶⁷ Itinerary for Pete Brownell December 2 – 13, 2015 (NRA Production #0000117).

²⁶⁸ Pete Brownell email to Rob McAllister, November 2, 2015, emphasis added (Brownell Production #00778).

There are very few that get this chance.

With this opportunity I would like to understand what advantage this provides crow and Brownells. ***This opportunity does not need to be this year or next...just loosely defined as near future.***

Any ideas. I do. Not (sic) want to spend the time of it does not provide Brownells or crow with an import or export opportunity.²⁶⁹

The following day, on November 28, 2015, Brownell forwarded Butina's email explaining the trip "would DEFINITELY be profitable," to Nick Perrine in the NRA President's Office, asking him to review the proposed itinerary and instructing him to have the NRA's travel agent change his travel plans:

Please review this offer. It means I would be leaving 2 days earlier.

I would like to change my itinerary. Note I will already be in dc when I need to leave.

This is officially a complicated schedule.

Nick. Have nra travel agent start working on Iowa to dc to Russia to Iowa.

Note this will a business class trip (sic).²⁷⁰

Perrine confirmed that day that he would.²⁷¹ After Brownell informed Butina he was working on joining the NRA delegation, she emailed back an additional incentive:

I am looking forward to hear any updates from you. I just got news about Russian economical sanctions that Putin put on Turkey. As you know, Turkey W A S (sic) the biggest exporter of weapons to Russia... now would be an excellent time for an American genius to steal this market ...²⁷²

Later that day, Butina provided Brownell with additional information on the manufacturers she planned to connect him with, to which he responded, "I'm sure the people we meet will be invaluable as Brownells and Crow Shooter Supply expand."²⁷³

Butina and Erickson made Brownell aware that she planned to take him to a Russian manufacturer that made weapons for the Russian military and that she was coordinating with The Federal Security Service of the Russian Federation (FSB)

Once Brownell agreed to lead the trip, he and Butina began to iron out the details of the arms manufacturer meetings that she had promised him. On November 24, 2015, Butina emailed Brownell

²⁶⁹ Pete Brownell email to Brownells employees, November 27, 2015, emphasis added (Brownell Production #00803).

²⁷⁰ Pete Brownell email to Nick Perrine and Brownells employee, November 28, 2015 (Brownell Production #00165).

²⁷¹ Nicholas Perrine email to Pete Brownell, November 27, 2015 (Brownell Production #00185).

²⁷² Butina email to Pete Brownell, November 28, 2015 (Brownell Production #000815).

²⁷³ Pete Brownell email to Maria Butina, November 28, 2015 (Brownell Production #000818).

informing him that one of the arms manufacturers she proposed he meet required a lengthy screening process because it produced weapons for the Russian military:

In New Orleans we discussed the possibility to go to tour one of the major Russian gun manufactories. There could be a scheduling problem. They are producing guns of Russian military so the factory has special rules for foreign visitors. For foreigners we have to apply for the pass two weeks before the visit. I will try to do my best and ask my friends to make this process faster but I can not guarantee the approval.²⁷⁴

However, the next day, Erickson informed Brownell that Butina had “moved heaven & earth” with her Russian FSB contacts to secure his entrance to the Russian arms manufacturer that produced weaponry for the Russian military:

Ms. Butina has (apparently) moved heaven & earth and manipulated the Russian FSB (the current incarnation of the old KGB) and gotten you cleared for a tour of one (1) Russian arms factory the day before the NRA delegation arrives in Moscow. She found a way to shrink a normally 3-week process into about 3-days (probably because most of the FSB agents “assigned” to her want to marry her).²⁷⁵

On November 28, 2015, Butina informed Brownell that they would be traveling together to the weapons manufacturing facility, Molot-Oruzhie, near the Russian city of Kazan.²⁷⁶

Brownell told Butina that public scrutiny of his Russian outreach would put his U.S. government contracts at risk

Brownell wrote to Butina on December 4, 2015, making clear that he viewed public scrutiny of his participation in the delegation’s trip to Moscow as something that would put his U.S. government contracts at risk. Of particular note, he collaborated with NRA staff on how to explain to Butina that media scrutiny would put his private business at risk.²⁷⁷

After asking Millie Hallow for her input on a draft email, Brownell wrote to Butina requesting that she cancel multiple press events and photo-ops that she had already scheduled:

There is a lot of momentum already set in motion and my involvement might change some of these plans. Primarily the publicity extras which could be a benefit for some but actually cause me to have problems.

You have done an excellent job planning this trip and organizing events and I hate to add complexity to your planning. Given positions my business has with our government and other U.S. Government affiliations, media will put all of them in jeopardy.²⁷⁸

On January 20, 2016, the Kalashnikov website published an article about the NRA delegation’s visit.²⁷⁹ While the story did not quote Brownell, as noted above, documents show that on the morning of December 12, 2015, Butina sent Brownell questions for an interview scheduled on his itinerary for that

²⁷⁴ Butina email to Pete Brownell, November 24, 2015 (Brownell Production #00124).

²⁷⁵ Erickson email to Pete Brownell, November 25, 2015 (Brownell Production #00127).

²⁷⁶ Butina email to Pete Brownell, November 28, 2015 (Brownell Production #00194).

²⁷⁷ Pete Brownell email to Millie Hallow, December 4, 2015 (Brownell Production #00306).

²⁷⁸ Brownell email to Maria Butina, December 4, 2015 (Brownell Production #00309).

²⁷⁹ Kalashnikov, NRA in Russia, January 20, 2016; www.kalashnikov.ru/nra-v-rossii/.

day with a writer for the magazine.²⁸⁰ This exchange strongly suggests that he did attend this interview notwithstanding the concerns he previously voiced about media exposure.

Brownell confirmed that he explored multiple personal business opportunities during the 2015 NRA trip to Russia, although he emphasized the trip resulted in no new business

Brownell confirmed via counsel he had planned to explore several business opportunities while in Moscow, prior to the arrival of the rest of the NRA delegation, as identified on his travel itineraries. On December 4, 2015, Butina sent Brownell a detailed schedule for their travel preceding the NRA delegation's arrival.²⁸¹

Counsel confirmed with committee minority staff that he believed he had a meeting with the CEO of "Artemida Arms" on December 6, 2015. According to the itinerary Butina provided to Brownell, they planned to have lunch with Alexander Dolgov ("CEO & co-investor of the gun retailer chain 'Artemida'") and Oleg Gladkikh ("the major investor of the gun retailer chain 'Artemida'") that day.²⁸² Later that afternoon, he had a meeting with representatives of AKademia – a Russian arms company. The itinerary identified Alexander Gorodetsky and Boris Gorodetsky as "Owners of the Gun Accessories Manufactory 'The Red Heat.'" ²⁸³ Counsel for Brownell confirmed the meeting was with AKademia.²⁸⁴

On December 7, 2015, Brownell traveled with Butina to "the Molot Factory."²⁸⁵ The itinerary Butina prepared for Brownell shows they planned to meet with the facility's Deputy General Director and Marketing Director, Vladimir Kislov. The itinerary showed an additional meeting with Technical Director Andrey Solodyankin, Head of the Advanced Design Department Petr Mokrushin, and lead engineer of the Advanced Design Department, Kabatchikov Alexander.²⁸⁶

On December 8, 2015, Brownell had a business meeting with Svetlana Nikolaev, the CEO of Orsis.²⁸⁷

Brownell asserted through counsel that he did not remember whether he visited TsNIITochMash (the Central Research Institute for Precision Machine Building), although his itinerary shows Butina planned a five-hour visit to the facility for him on December 8, 2015.²⁸⁸ The itinerary she provided shows she and Torshin planned to attend the meeting with him.²⁸⁹ TsNIITochMash is a subsidiary of state-owned Rostec that designs weapons and equipment for the Russian military.²⁹⁰

Brownell asserted through counsel that he used his time in Russia to continue business discussions he had already been pursuing without Butina's help. Counsel also asserted to committee minority staff that Butina did not make any business introductions to people he did not already know, and that he ultimately decided not to pursue any of the business deals that he discussed during the trip to Moscow.²⁹¹

²⁸⁰ Maria Butina email to Pete Brownell, December 12, 2015 (Brownell Production #00323).

²⁸¹ Maria Butina email to Pete Brownell and Brownell itinerary, December 4, 2015 (Brownell Production #00290).

²⁸² *Id.*

²⁸³ *Id.*

²⁸⁴ Faegre Baker Daniels interview, June 14, 2019.

²⁸⁵ *Id.*

²⁸⁶ Maria Butina email to Pete Brownell and Brownell itinerary, December 4, 2015 (Brownell Production #00290).

²⁸⁷ Faegre Baker Daniels interview, June 14, 2019.

²⁸⁸ Faegre Baker Daniels interview, June 14, 2019.

²⁸⁹ Maria Butina email to Pete Brownell and Brownell itinerary, December 4, 2015 (Brownell Production #00290).

²⁹⁰ TsNIITochMash, About the Enterprise, last accessed September 6, 2019, <http://www.cniitm.ru/our-institute/history/>.

²⁹¹ Faegre Baker Daniels interview, June 14, 2019.

However, according to documents provided to committee minority staff, after his return from Moscow Brownell's company further engaged with at least one of the companies he met with on the NRA trip. On March 16, 2016, Alexander Gorodetskiy, the CEO of AKademia, emailed multiple Brownells staff and Butina to introduce himself, claiming he had met Brownell during the NRA's delegation to Russia.²⁹² Over a period of months, Gorodetskiy arranged to send product samples to Brownells. Gorodetskiy explained to Brownells staff that he used one of his Russian colleagues who owned a business in Russia and lived in Miami to provide the samples.²⁹³ Brownell's counsel confirmed that Gorodetskiy used Legion USA, a Florida-based LLC that was voluntarily dissolved on September 19, 2017, to deliver the parts.²⁹⁴ Brownell asserted through counsel his company declined to pursue any business deals after AKademia's refusal to follow proper import/export procedures.²⁹⁵

Nonetheless, as stated above in Brownell's November 2, 2015, email to McAllister, Brownell specifically understood the long-term value and importance of introducing his company to the political leadership in Russia and the opportunity that this trip offered to do so, whether or not he pursued individual deals in the short-term. As he stated to McAllister, "(t)his would be strictly diplomatic trip to introduce our company to the governing individuals throughout Russia."²⁹⁶

It is not clear how much of Brownell's expenses for the Russia trip the NRA paid for. The NRA did not respond to the Ranking Member's request for this information. However, trip arrangements made by Perrine and other NRA staff clearly contemplated his early arrival, before the rest of the delegation, in order to accommodate business meetings arranged by Butina as an incentive for him to attend. Brownell made clear that he would not have participated in the trip but for the opportunity to advance his personal business interests.

Absent the NRA's association with the entire trip, and Brownell's attendance in his capacity as the incoming president of the organization, it is likely that the trip would not have occurred in the first place. In the end, Brownell was able to introduce his company to governing officials in Russia, including, as McAllister advised, sanctioned Russian officials, because of the NRA sponsorship. At the time, Brownell was an officer–Vice President–of the NRA.

B. Joe Liberatore

NRA Foundation donor and business associate who traveled to Moscow explicitly confirmed business interest was his only reason for joining the delegation

At the time of the NRA's trip to Russia, Jim Liberatore was CEO of the Outdoor Channel [OC]. In January 2014, the OC and the NRA announced a new partnership, "which brings together the top two brands in the outdoor arena, spans a variety of platforms including programming, events, advertising, marketing and digital initiatives. As a result of the strength of their combined assets, Outdoor Channel

²⁹² Alexander Gorodetsky email to Brownells staff, March 16, 2016 (Brownell Production #00538).

²⁹³ Alexander Gorodetskiy email to Brownells staff, August 30, 2016 (Brownell Production #00659).

²⁹⁴ Florida Division of Corporations, September 19, 2017;

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=LEGIONUSA%20P100000063110&aggregateId=domp-p100000063111-dbc2dbf0-760a-448a-a6b2-9d0911144e27&searchTerm=legion%20USA&listNameOrder=LEGIONUSA%20N140000078410>.

²⁹⁵ Faegre Baker Daniels interview, June 14, 2019.

²⁹⁶ Pete Brownell email to Rob McAllister, November 2, 2015 (Brownell Production #00778).

and the NRA will reach an audience of more than 45 million outdoor enthusiasts.”²⁹⁷ Liberatore contributed to the NRA Foundation in 2015 and OC repeatedly sponsored the NRA’s “Great American Outdoor Show” while he was the company’s CEO.²⁹⁸ Counsel for Liberatore and the Outdoor Sportsman Group confirmed that his participation in the NRA’s travel to Moscow was “purely commercial and not related in any way to U.S. politics or gun rights.” In his response, his counsel provided the following letter:

At the time of the trip, Mr. Liberatore served as CEO of OC [the Outdoor Channel] and MOTV [MyOutdoorTV]. One country that interested him for both potential foreign content and audience market was Russia, as President Putin was a noted conservationist and outdoor enthusiast, and Russia had a sizable outdoor lifestyle culture. Mr. Liberatore believed audiences would be interested in content about that culture, including Mr. Putin’s outdoor pursuits.

Consequently, after Mr. Liberatore learned that the National Rifle Association (the ‘NRA’) was traveling to Russia, Mr. Liberatore asked the NRA if he could join the trip. OC and MOTV have a programming and commercial relationship with the NRA. He thought the trip would be a way to learn more about the Russian market and help gauge its potential for content creation. ***Mr. Liberatore’s purpose was purely commercial and not related in any way to U.S. politics or gun rights.***²⁹⁹

As discussed previously, expenses in Moscow for the Liberatores were invoiced by Butina through Bridges LLC via Millie Hallow at the NRA. Brownell or his company then paid this invoice and was subsequently reimbursed for it by the NRA. As is made clear by Liberatore, his attendance on this NRA-sanctioned trip was solely for the purpose of pursuing business opportunities in Russia.

Liberatore separately confirmed that his company also hired Butina after returning from Moscow. His company paid Bridges, LLC, at a rate of \$5,000 per month plus expenses until terminating her contract when she “made no progress” on the work she had committed to doing for the Outdoor Sportsman Group.³⁰⁰

²⁹⁷ Outdoor Channel Press Release, January 6, 2014; www.prnewswire.com/news-releases/outdoor-channel-and-nra-broaden-strategic-partnership-238865681.html.

²⁹⁸ *Traditions* Magazine at p.34, NRA Foundation Publication, Quarter 2, 2015; www.friendsofnra.org/webdownloads/national/eventservices/Traditions_15Q2_web.pdf; NRA Blog, National Rifle Association Recognizes 2016 Great American Outdoor Show Sponsors, January 27, 2016; www.nrablog.com/articles/2016/1/national-rifle-association-recognizes-2016-great-american-outdoor-show-sponsors/.

²⁹⁹ Outdoor Sportsman Group (Liberatore) letter to Senators Wyden, Blumenthal, Whitehouse, and Warren, September 7, 2018, at p.2; emphasis added.

³⁰⁰ *Id* at p.3.

C. David Keene

Keene appears to have sought to use his connection to the NRA to secure an interview with Putin for the Washington Times

Documents provided by the NRA and others show David and Donna Keene likely sought to exploit his position with the NRA and Butina's perceived relationships with Russian government officials for their own personal gain. At the time of the delegation's trip to Moscow, Keene served on the NRA Board of Directors and as a member of multiple internal NRA Committees.³⁰¹ Documents provided by the NRA show he served on the organization's Executive Council and as Chair of the NRA International Affairs Subcommittee.³⁰² Keene refused to cooperate with Committee staff's requests for information to confirm or refute these documents.

On July 14, 2013, the Washington Times announced that Keene would serve as the paper's opinion editor.³⁰³ Documents provided by the NRA and others indicate that Butina and Torshin sought to use his apparent desire to interview Vladimir Putin for the paper in their efforts to bring the NRA to Russia.

In a November 13, 2015, email to David Keene, Butina suggested she would be introducing him to a Russian media oligarch close to Putin whose "good word – along with Torshin's" would be able to help him secure an interview with the Russian President.

During your four days in Moscow, I have arranged the following critical meetings / events:
*A private meeting with the First Secretary of the Russian Security Counsel (the man that advises President Putin on a daily basis on all security and military affairs – the equal to your <<National Security Advisor>>).

*A private meeting with the First Deputy Prime Minister responsible for the productions of ALL Russian arms – the unofficial leader of the Russian military industrial complex.

*A private dinner at the hunting estate of the leading media oligarch in all of Russia. He owns 84 newspapers that print 28 million daily copies in 12 countries (including all six of Russian largest hunting magazines). He is the president of the association of Russian journalists for 10 years already and is the unofficial media advisor to President Putin. ***His good word–along with Torshin's–can secure your personal interview with President Putin for the Washington Times.***³⁰⁴

The media oligarch cited in the email matches the description included in the trip itineraries and emails of Pavel Gusev.

Erickson wrote in a November 18, 2015, email to Brownell that impressing the Russian hosts Butina had arranged for the delegation to meet was "the quickest way to secure a private interview with President Putin on behalf of David Keene and the Washington Times." Erickson also disclosed to Brownell that a potential interview with Putin was proposed to Keene by Torshin himself during a visit to Washington, D.C.:

And impressing the NRA's Russian hosts is also the quickest way to secure a private interview with President Putin on behalf of David Keene and the Washington Times—a

³⁰¹ NRA 2015 Form 990 Public Filing.

³⁰² NRA Letter to Alexander Torshin, November 25, 2015 (NRA Production #0000116).

³⁰³ *Washington Times*, David Keene to lead opinion pages of Washington Times, July 14, 2013; www.washingtontimes.com/news/2013/jul/14/david-keene-to-lead-opinion-pages-of-washington-ti/.

³⁰⁴ Maria Butina email to David Keene, November 13, 2015, emphasis added (NRA Production #0001917).

plum that was dangled in front of Keene by Torshin himself during a recent Torshin visit to Washington, DC. High stakes all around.³⁰⁵

Keene's outreach to Butina for personal enrichment reportedly continued after the Moscow trip

As noted, David Keene did not cooperate with this investigation. However, reporting by the New York Times from September 2, 2018, shows the Keenes' interest in exploiting their relationship with Butina for personal gain did not end after the 2015 Moscow trip. According to the *New York Times* report, the Keenes thought Butina could help them broker a fuel deal with Gazprom, an oil and gas producer that is majority owned by the Russian state.³⁰⁶

The *Times* identified Paul Erickson as "the driving force behind the jet fuel negotiations" but reported that emails showed the Keenes "first raised the idea of brokering a sale" and were responsible for putting Butina in contact with prospective buyers. While the reporting indicates no deals were secured, it also shows one of the two Russian individuals she reached out to was Sergei Shakhov, who the report identified as "a public relations consultant and fellow gun rights activist."³⁰⁷

Additional reporting by *Bloomberg* shows Sergei Shakhov is a former Kremlin official who Maria Butina brought to the 2017 National Prayer Breakfast.³⁰⁸ Russian government resources show Sergey Nikolaevich Shakhov served as the Head of the Russian Administration of Emergency Ministry on the Crimea from 2011 to 2018.³⁰⁹ Shakhov would have been a Russian government official at the time Butina reportedly called him in an attempt to broker the deal for the Keenes. David Keene declined to answer questions from the Ranking Member about his business ties to any Russian nationals or Russian-owned entities, domestic or foreign.

D. Joe Gregory

Gregory confirmed the NRA regularly paid for him to travel to Israel, where he held what he characterized as "active interests"

As noted earlier, the trip to Moscow was the second leg of the two-part NRA trip, which included a trip to Israel. Joe Gregory, who has reportedly donated millions of dollars to the NRA and serves as chairman of the NRA's Golden Ring of Freedom donor recognition program, responded to the Senators' July 26, 2018, joint request for information. Gregory confirmed via counsel that the NRA regularly paid for him to travel to Israel, where he held "active interests."³¹⁰

³⁰⁵ Paul Erickson email to Pete Brownell, November 18, 2015 (Brownell Production #00048).

³⁰⁶ *The New York Times*, Wife of Former N.R.A. President Tapped Accused Russian Agent in Pursuit of Jet Fuel Payday, September 2, 2018; www.nytimes.com/2018/09/02/us/politics/maria-butina-russian-spy.html.

³⁰⁷ *Id.*

³⁰⁸ *Bloomberg*, The Butina 11: Meet the Russians 'Handpicked' for Trump Event, December 14, 2018; www.bloomberg.com/news/articles/2018-12-14/meet-the-russians-picked-for-butina-s-trip-to-trump-breakfast.

³⁰⁹ Ministry of Emergency Situations of the Republic of Crimea, <https://mchs.rk.gov.ru/ru/head/show/12>.

³¹⁰ According to public reporting, Gregory has been a member of the NRA since the 1990s. In 2011, the NRA awarded him its 2011 Ronald Reagan Leadership Award "because of his lead role in founding the NRA's Golden Ring of Freedom – a group of donors who have either contributed or pledged at least \$1 million to the organization. In addition to helping create the Golden Ring—and recruiting new donors—Gregory has pledged to personally contribute \$3 million to the NRA over a five-year period. To date, he has donated \$2 million." *The Herald Courier*, Gregory receives NRA award, May 5, 2011; www.heraldcourier.com/news/gregory-receives-nra-award/article_7d5e9c31-7008-5a6b-ad82-a43b43388305.html.

Mr. Gregory confirms that he and other individuals traveled to Israel and Russia in December 2015. Mr. Gregory is a supporter of the National Rifle Association (the 'NRA' or the 'Association'). Arrangements for Mr. Gregory's travel to Israel and Russia were made by the NRA in accordance with what historically took place in NRA trips prior to this one. Mr. Gregory understood at the time that the NRA paid for his expenses. Over the years, Mr. Gregory made several trips organized and paid for by the NRA. Typically, he understood that the NRA paid for expenses associated with the trips. Mr. Gregory has no personal knowledge whether his expenses while he was in Russia were paid for by the NRA or anyone else. Mr. Gregory has active interests in Israel and traveled to Israel on prior occasions with expenses paid for by the NRA, to his knowledge. The extension of the December 2015 trip to Russia was Mr. Gregory's first trip to Russia.³¹¹

Gregory's counsel did not explain the nature of his "active interests in Israel." Publicly available information indicates that Gregory and his wife Cindy Gregory are major contributors to the Joseph Project in Israel, an anti-poverty and humanitarian relief organization.³¹² The project is supported by the Messianic Jewish Alliance of America, and was founded by Joel Chernoff.³¹³ According to a post about the Joseph Project on the website for the Israel Empowerment Lobby, Gregory was characterized as "one of Israel's biggest donors."³¹⁴ These philanthropic activities appear unrelated to the NRA's mission and tax-exempt purpose.

³¹¹ Gregory letter to Senators Wyden, Blumenthal, Whitehouse, and Warren, November 15, 2018

³¹² Joseph Project, last accessed July 24th, 2019; www.josephproject.org.il/; *Bristol Herald Courier*, Passover inspires local fundraiser with ties to Israel, April 9, 2017; www.heraldcourier.com/lifestyles/passover-inspires-local-fundraiser-with-ties-to-israel/article_01fb8ca8-1bbf-11e7-a7de-97519eb2d35d.html.

³¹³ *Bristol Herald Courier*, Passover inspires local fundraiser with ties to Israel, April 9, 2017; www.heraldcourier.com/lifestyles/passover-inspires-local-fundraiser-with-ties-to-israel/article_01fb8ca8-1bbf-11e7-a7de-97519eb2d35d.html.

³¹⁴ Israel Empowerment Lobby, Joseph Project, last accessed July 24, 2019; <http://ielobby.com/joseph-project-2>.

IV. Access to Other Conservative Organizations and Interests—From as Early as 2014, Torshin and Butina Relied on Their Growing Relationships with NRA Officers to Gain Access to Other Conservative Organizations

Documents provided in this investigation confirm that Butina and Torshin had extensive access to NRA organizational meetings before the December 2015 Moscow trip, largely due to Torshin's relationship with David Keene. Reporting shows that Keene and Torshin maintained a years-long relationship, which included Torshin's participation in multiple annual NRA meetings and Keene's travel to Moscow.³¹⁵ Keene traveled to Moscow in 2013 to address the Right to Bear Arms organization, where he was introduced by Butina.³¹⁶ According to public reporting, Erickson traveled with Keene to Moscow on this trip, where he met Butina.³¹⁷ The NRA declined to provide documentation related to this 2013 trip despite the Ranking Member's request.

According to DOJ filings, Butina and Torshin sought to exploit their relationships to NRA officials to gain access to other conservative organizations. The scope of these efforts included seeking access to Republican Party leaders and candidates. In its affidavit in support of an application for a criminal complaint against Butina, the DOJ also disclosed the existence of an email sent by an individual the Department identified as "U.S. Person 1." U.S. Person 1 is widely understood to be Erickson, Butina's personal and business associate. In the email, the individual described efforts to set up a back channel of communication between the Kremlin and the Republican Party, using the gun rights organization as a conduit:

On October 4, 2016, U.S. Person 1 sent an email to an acquaintance. The email covered a number of topics. Within the email, U.S. Person 1 stated, "Unrelated to specific presidential campaigns, I've been involved in securing a VERY private line of communication between the Kremlin and key POLITICAL PARTY 1 leaders through, of all conduits, the [GUN RIGHTS ORGANIZATION]."³¹⁸

Documents in this investigation further clarify the role played by the NRA and its officers and donors in helping Butina and Torshin establish these lines of communication. Before the 2015 trip to Moscow, Butina appears to have gained access to multiple conservative events, including ones attended by 2016 Republican presidential candidates. Their access to additional conservative organizations appears to have grown substantially as they developed deeper relationships with NRA officers and donors in the wake of the trip to Moscow in December 2015. For example, after NRA officers returned from Moscow, they provided an open-ended invitation for Butina to bring whomever she wanted to the NRA's annual 2016 meeting, helped her network with National Prayer Breakfast attendees, and helped facilitate her and

³¹⁵ *Rolling Stone*, Inside the Decade-Long Russian Campaign to Infiltrate the NRA and Help Elect Trump, April 2, 2018; www.rollingstone.com/politics/politics-features/inside-the-decade-long-russian-campaign-to-infiltrate-the-nra-and-help-elect-trump-630054/.

³¹⁶ YouTube, Выступление Дэвида Кина (США) на 2-ом съезде Право на оружие (на английском), November 3, 2013; www.youtube.com/watch?v=1tj-ceQb9Ao.

³¹⁷ *ABC News*, Love or cover? Maria Butina and the romance at the heart of an alleged Russian influence operation, August 28, 2018; <https://abcnews.go.com/Politics/lover-cover-romance-heart-alleged-russian-influence-operation/story?id=57437405>.

³¹⁸ Department of Justice Press Release: Russian National Charged in Conspiracy to Act as an Agent of the Russian Federation Within the United States, July 16, 2018; Affidavit in support of an application for a criminal complaint at 11; www.justice.gov/opa/press-release/file/1080766/download.

Torshin's participation in multiple other hunting and outdoor enthusiast events. It was during the NRA's 2016 annual meeting that NRA officials introduced Butina and Torshin to Donald Trump Jr.³¹⁹

Butina and Torshin attended multiple NRA functions in 2014 and 2015 with help from David and Donna Keene

NRA documents show that Butina attended the organization's 2014 annual convention and participated in their exclusive annual NRA Golden Ring of Freedom dinner for million dollar donors.³²⁰ Torshin and Butina participated in the NRA's Charlton Heston Recognition Dinner at the organization's 2015 Annual Meeting, where they were introduced by David Keene.³²¹ Keene also invited Butina to participate in the organization's Winter Board Meeting in Birmingham, Alabama in January 2015.³²²

According to schedules organized for Butina and Torshin by NRA staff, the organization offered the pair extraordinary access to NRA events during its 2015 Annual Meeting. Butina and Torshin were invited to attend the NRA's International Affairs Subcommittee meeting, Legislative Policy Committee meeting, NRA-Institute for Legislative Action (ILA) Leadership Forum, NRA-ILA Dinner and Auction, and multiple "Ring of Freedom" events for NRA donors.³²³ They were also invited to the NRA's Charlton Heston Recognition Dinner, in which the organization recognizes those who provide gifts of "real estate, firearms, bequests, life insurance, charitable gift annuities and beneficiary designations."³²⁴ A February 10, 2015, email from Keene to Perrine included a message from Butina showing Torshin was specifically interested in the NRA's Ring of Freedom Program. In the email, Butina wrote, "Mr. Torshin would very much like to take part in the activities of the Ring of Freedom, if possible."³²⁵ A program of events for the Charlton Heston Recognition Dinner shows that Torshin and Butina were scheduled to address the audience during the dinner.³²⁶

Documents confirm that David Keene also purchased tickets for Butina and Torshin to attend the NRA's ILA Dinner and Auction in 2015. The NRA provided a spreadsheet of David Keene's expenses dated March 25, 2015, which included a \$1,000 expenditure to the NRA ILA for the organization's 2015 "NRA-ILA Dinner & Auction Tickets for Alexander Torshin and Maria Butina."³²⁷

Butina, with help from Paul Erickson, made clear to the NRA her and Torshin's interest in elected Republican officials as early as March 2015

The NRA provided assistance to Butina in her efforts to gain access to important Republican officials. For example, Butina expressed interest on behalf of Torshin in the NRA-ILA's annual forum, which the

³¹⁹ Faegre Baker Daniels interview, June 14, 2019.

³²⁰ NRA letter to Maria Butina, February 5, 2015 (NRA Production #0000001).

³²¹ Charlton Heston Recognition Dinner 2015 NRA Annual Meetings & Exhibits, April 8, 2015 (NRA Production #0000018).

³²² David Keene email to Maria Butina, December 30, 2014 (NRA Production #0000660).

³²³ "Events for Mr. Alexander Torshin & Ms. Maria Butina NRA Annual Meeting – Nashville," April 7-12, 2015 (NRA Production #0000057).

³²⁴ National Rifle Association Ring of Freedom Heritage Society, last accessed September 6, 2019; www.nraringoffreedom.com/membership/heritage-society/.

³²⁵ David Keene email to Nicholas Perrine, February 10, 2015 (NRA Production #0000714).

³²⁶ NRA Ring of Freedom Charlton Heston Society Recognition Dinner, April 8, 2015 (NRA Production #0000033).

³²⁷ NRA excel spreadsheet, Keene Expenses, March 25, 2015 (NRA Production #0000017).

organization considered “a critical stop for any serious candidate for the highest levels of elected office – including governor, congressman, Senator, or President of the United States.”³²⁸

On March 17, 2015, Paul Erickson reached out to Chris DeWitt, NRA Ring of Freedom manager, ahead of the NRA’s 2015 Annual Meeting with a series of questions. Among those questions, Erickson specifically asked, “Is there a list of U.S. Governors or Members of Congress that might be present at some time during the Annual Meeting?”³²⁹ Three days later, on March 20, 2015, Butina emailed Perrine requesting the same information: “Mr. Torshin asks me about the officials on (sic) the event. Is there a list of U.S. Governors or Members of Congress that might be present at some time during the Annual Meeting?”³³⁰ Perrine responded to Butina the same day providing the requested information, identifying a series of Republican politicians who planned to attend the organization’s NRA-ILA Leadership Forum.³³¹ NRA media resources show Republican presidential candidates Donald Trump, Jeb Bush, Ted Cruz, Marco Rubio, Ben Carson, Rick Perry, Scott Walker, Bobby Jindal, and Rick Santorum participated in the 2015 NRA-ILA Leadership Forum.³³²

Department of Justice court filings confirm Butina met at least one presidential candidate at a 2015 annual members meeting for the “GUN RIGHTS ORGANIZATION.” In its affidavit in support of an application for a criminal complaint against Butina, the DOJ disclosed that in 2015 Butina provided her Russian handler notes about her “private meeting with [a political] candidate at the 2015 annual GUN RIGHTS ORGANIZATION members’ meeting.”³³³ After Butina’s arrest, former Wisconsin Governor and 2016 presidential candidate Scott Walker confirmed he met Butina at the NRA’s 2015 Annual Meeting, although it is unclear whether Walker is the candidate referred to in DOJ documents, and Walker denies that it was a private meeting.³³⁴

Donna Keene offered to have the NRA pay for Butina to attend a 2015 meeting hosted by the Council for National Policy (CNP)—a conservative organization that hosted Republican presidential candidates in 2015

As described by the *New York Times* in 2004, “a little-known club of a few hundred of the most powerful conservatives in the country have met behind closed doors at undisclosed locations for a confidential conference, the Council for National Policy, to strategize about how to turn the country to the right.”³³⁵

According to documents provided by the NRA, Donna Keene offered to have the NRA pay for Maria Butina to attend a CNP meeting in 2015. On April 27, 2015, Keene emailed the following to Butina, which was then shared between NRA staff:

³²⁸ Internet Archive “Wayback Machine,” May 11, 2015; <https://web.archive.org/web/20150511013218/http://www.nraam.org:80/special-events/nra-ila-leadership-forum.aspx>.

³²⁹ Paul Erickson email to Christopher DeWitt, March 17, 2015 (NRA Production #0000755).

³³⁰ Maria Butina email to Nicholas Perrine, March 20, 2015 (NRA Production #0000768).

³³¹ Nicholas Perrine email to Maria Butina, March 20, 2015 (NRA Production #0000775).

³³² NRA-ILA Video Library, April 10-11, 2015; www.nraila.org/search/?p=3&q=&t=63405&i=10&cb=&sc=0.

³³³ Department of Justice Press Release: Russian National Charged in Conspiracy to Act as an Agent of the Russian Federation Within the United States, July 16, 2018; Affidavit in support of an application for a criminal complaint at 8; www.justice.gov/opa/press-release/file/1080766/download

³³⁴ Associated Press YouTube, Walker Says He Only Met Accused Russian Spy Once, July 23, 2018; www.youtube.com/watch?v=1F7N7YHDL3g.

³³⁵ *New York Times*, The 2004 Campaign: The Conservatives; Club of the Most Powerful Gathers in Strictest Privacy, August 28, 2004; www.nytimes.com/2004/08/28/us/2004-campaign-conservatives-club-most-powerful-gathers-strictest-privacy.html.

Glad you can go to CNP! NRA will pay your registration but not your hotel or car.

There is a shuttle from Dulles Airport so you wouldn't need any car if you stay walking distance at a hotel.

You are welcome to stay with us, but David is only at CNP after 12 Friday and Saturday morning until lunch, so you would need a car to stay with us.³³⁶

The NRA provided a spreadsheet of David Keene's expenses showing an April 23, 2015, expenditure for \$700 to "IN *COUNCIL FOR NATIWASHINGTON DC," for "Registration Fee for CNP Meeting."³³⁷ It is not clear whether the registration fee was for Keene or Butina, or whether the NRA reimbursed Keene for the expense.

According to public reporting, the Council for National Policy held a meeting in May 2015 in which several Republican presidential candidates participated.³³⁸ It is not clear whether Butina participated in the event, though according to information she posted to social media, she was in the United States the week before the organization's May 2015 meeting.³³⁹

In the weeks before the Moscow trip, Butina and Erickson solidified their relationship with Brownell, who helped introduce Butina to the National Sporting Good Wholesalers Association and its board members

Documents provided to committee minority staff show Butina and Erickson visited Brownell on at least one occasion in Iowa where they discussed the political ramifications of the NRA delegation's impending travel. On October 2, 2015, Butina emailed Brownell proposing they meet for dinner or drinks during her impending visit.³⁴⁰ An email from Erickson the following week shows Brownell met with them and gave them a tour of his company:

Dear Weapons King / Real Estate Development Magnate / Lapsed "Hawkeye" / Future NRA President,

Thank you SO much for your gracious hospitality yesterday – it was a rare privilege to be given a tour of the 'Brownells lair' by the President & C.E.O. himself! The impressiveness of your operation and delicious international lunch was only exceeded by your generous spirit.³⁴¹

³³⁶ Donna Keene email to Maria Butina, April 27, 2015 (NRA Production #0000091).

³³⁷ NRA excel spreadsheet, Keene Expenses, June 5, 2015 (NRA Production #0000092).

³³⁸ *The National Review* reported that six Republican presidential candidates, including Ted Cruz, Mike Huckabee, Marco Rubio, Rick Perry, Bobby Jindal, and Carly Fiorina addressed CNP in a May 2015 meeting. *National Review*, Inside the Secret Meeting Where Conservative Leaders Pledged Allegiance to Ted Cruz, December 15, 2015; www.nationalreview.com/2015/12/conservative-leaders-ted-cruz-earns-allegiance-private-meeting/.

³³⁹ *Politico*, Influential evangelicals to try to rally behind one GOP candidate at meeting, May 15, 2015; www.politico.com/story/2015/05/evangelicals-support-2016-gop-candidate-council-for-national-policy-117989; Maria Butina, Live Journal, May 13, 2015; <https://butina.livejournal.com/2015/05/13/>.

³⁴⁰ Maria Butina email to Pete Brownell, October 2, 2015 (Brownell Production #00769).

³⁴¹ Paul Erickson email to Pete Brownell, October 8, 2015 (Brownell Production #00770).

Brownell responded the following day, “Without sounding like I’m gushing, it was a real pleasure spending time with you and Maria this last week.”³⁴²

Following the visit to Brownells, Butina emailed one of the company’s employees to thank her for organizing a tour of the facilities and to ask for help attending the National Association of Sporting Goods Wholesalers (NASGW) Expo, which took place later that month in New Orleans.³⁴³ The Brownells employee responded the following day, providing Butina with a schedule of events and an agenda for the organization’s upcoming board meeting. According to the email, Butina was invited to speak at the board meeting and to participate in a VIP Reception and an Awards Reception and Dinner.³⁴⁴

Weeks later, Brownell, who then was serving as Chairman of the NASGW, emailed Erickson to confirm that he had set up Butina with access to the organization’s board.³⁴⁵

Paul – quick update on Marie.

We have her plugged into the national association of sporting good wholesalers board and annual meeting this week.

These are all the big importers, wholesalers and manufacturers of firearm stuff in America.³⁴⁶

A pair of January 2016 emails show that after Brownell returned from Russia, he and Butina discussed another upcoming meeting in Iowa in which she proposed they attend a debate watch party together at Trump or Cruz campaign offices. Butina even suggested they could “attend anonymously” if they attended a watch party in a public space. On January 9, 2016, Butina wrote:

We can meet privately anytime that works for you from 1 PM till 5:30 PM OR discuss our business over dinner at around 5:30 PM. If we could include Steve Crow at this meeting, it would obviously be great. I will be happy to contact him once you know your scheduling windows.

If you were interested, we could then go to a debate watch party hosted by either the Trump or Cruz campaign starting from 7:00 PM. I am sure that you remember our mutual friend Paul Erickson who nicely offered me to tour some presidential campaign offices for the debate party. *We can attend anonymously - especially if the «watch party» is in a public place.*³⁴⁷

It is not clear from the documents provided whether the visit, including a trip to either candidate’s campaign office, occurred.

³⁴² Pete Brownell email to Paul Erickson, October 9, 2015 (Brownell Production #00770).

³⁴³ Brownells employee email to Maria Butina, October 14, 2015 (Brownell Production #00772); NASGW Expo & Annual Meeting, October 27, 2015; <https://nasgw.org/news/have-you-signed-up-for-this-years-annual-leadership-awards-dinner>.

³⁴⁴ Brownells employee email to Maria Butina, October 14, 2015 (Brownell Production #00772).

³⁴⁵ NASGW, Chairman’s Commentary: October 2015, October 23, 2015; <https://nasgw.org/news/chairmans-commentary-october-2015>.

³⁴⁶ Pete Brownell email to Paul Erickson, October 25, 2015 (Brownell Production #00776).

³⁴⁷ Maria Butina email to Pete Brownell, January 9, 2016, emphasis added (Brownell Production #00391).

After returning from Moscow, NRA delegation member Joe Gregory helped Butina network at the 2016 National Prayer Breakfast

The 2016 National Prayer Breakfast took place in Washington, DC on February 4, 2016.³⁴⁸ Documents provided to committee minority staff show that Gregory, upon returning from Moscow, helped facilitate Butina's participation in the 2016 event. Gregory confirmed in a letter to Ranking Member Wyden, "Ms. Butina flew on his personal aircraft from Bristol, Tennessee to Washington, DC," ahead of the 2016 National Prayer Breakfast.³⁴⁹ According to DOJ court filings, Torshin attended the prayer breakfast with Butina.³⁵⁰ Materials disclosed by the Department of Justice show Butina and Torshin explicitly discussed logistics for attending the Prayer Breakfast, and demonstrate that Torshin's participation in the event had been expressly approved by the Russian Ministry of Foreign Affairs roughly one month after the NRA delegation met with Foreign Minister Lavrov in Moscow.³⁵¹

In his letter, Gregory also confirmed, "In or around January/ February of 2016, Mr. Gregory put Butina in touch with certain individuals in connection with her attendance at the National Prayer Breakfast in Washington, D.C."³⁵² The letter did not identify to whom he introduced Butina. However, emails indicate Gregory introduced her to at least one individual who knew longtime National Prayer Breakfast organizer Doug Coe.³⁵³ The second, Gregory described as knowing "a lot of people in Washington who are connected with the prayer breakfast":

In a January 25, 2016, email, Gregory connected Butina with Tim Burchfield, an associate from Tennessee:

Tim Burchfield, As you know, I have told you that two of my new good friends from Russia will be attending the National Prayer Breakfast this year & they are very excited about it. They are Mr. Alexander Torshin & Ms. Maria Butina. Their Bio's (sic) are included with this email & Maria's email address is included as well. Her cell phone number is [redacted]. At your permission, I have extended an invitation for them to join the East Tennessee contingent for dinner the night before the breakfast (Wednesday evening, 2/3). Tim's cell phone number is [redacted]. I leave it in your capable hands to inform our Russian guests & arrange places & times for the Wednesday evening dinner & thank you for showing them the same hospitality that Jesus would show & that you have shown to me. I believe they may also be interested in Thursday mid-day & afternoon tour happenings & invitations if they don't end up going to NRA headquarters. Thanks for your help with this! Best

³⁴⁸ C-Span.org, February 4, 2016; www.c-span.org/video/?404114-1/2016-national-prayer-breakfast.

³⁴⁹ Joe Gregory letter to Senators Wyden, Blumenthal, Warren, and Whitehouse, November 15, 2018

³⁵⁰ Department of Justice Press Release: Russian National Charged in Conspiracy to Act as an Agent of the Russian Federation Within the United States, July 16, 2018; Affidavit in support of an application for a criminal complaint at 8; www.justice.gov/opa/press-release/file/1080766/download.

³⁵¹ According to the Department of Justice, "On or about January 19, 2016, BUTINA and the Russian Representative exchanged Twitter direct messages regarding logistics for the 2016 National Prayer Breakfast. The RUSSIAN OFFICIAL noted that the MFA had given approval for his attendance." *United States v. Mariia Butina*, No. 18-CR-218-TSC (D.D.C. Jul. 14, 2018); www.justice.gov/opa/press-release/file/1080761/download.

³⁵² Joe Gregory letter to Senators Wyden, Blumenthal, Warren, and Whitehouse, November 15, 2018.

³⁵³ Gregory email to Tim Burchfield, January 25, 2016 (Gregory Production #00185); Longtime National Prayer Breakfast organizer Doug Coe passed away in early 2017. Doug Burleigh has publicly spoken about his role in organizing the event after Mr. Coe's passing. *The New York Times*, Doug Coe, Influential Evangelical Leader, Dies at 88, February, 22, 2017; www.nytimes.com/2017/02/22/us/obituary-doug-coe-fellowship-foundation.html; YouTube, Doug Burleigh and Russian representation at the 2018 National Prayer Breakfast, July 23, 2018; www.youtube.com/watch?v=HBvX-xFj77U.

Wishes for another successful Breakfast & *send my regards to Doug Coe & family & the Fellowship.*³⁵⁴

In a January 27, 2016, email, Gregory connected Butina with Bob Woody, who he described as a business partner in an oil and gas business:

You should have a good time at & during the National Prayer Breakfast. If you can, please take Mr. Bob Woody up on his invitation to join him for coffee after the breakfast Thursday morning. Bob is an exceptional businessman & entrepreneur. He is my business partner in an oil & gas business we own. But his greatest asset is that he is an exceptional person who is kind hearted and generous & *knows a lot of people in Washington who are connected with the prayer breakfast.* His offices are with Mr. Steve Case of AOL fame.³⁵⁵

Department of Justice court filings confirm that Butina secured invitations to the 2017 National Prayer Breakfast for a delegation of Russian nationals after she attended the previous 2016 National Prayer Breakfast. Documents reviewed by committee minority staff do not clarify whether the NRA or its representatives played any role in helping Butina and Torshin attend the 2017 breakfast. In its affidavit in support of an application for a criminal complaint against Butina, the Department of Justice disclosed that in March of 2016, Butina thanked “an associate of the organizer of the 2017 Prayer Breakfast for meeting with her and the RUSSIAN OFFICIAL in Moscow.”³⁵⁶ Court filings did not identify the breakfast organizer or their associate. The DOJ disclosed that in “a later March email, the organizer of the 2017 National Prayer Breakfast promised BUTINA he would provide ten seats at the 2017 event.”³⁵⁷

After returning from Moscow, the NRA and Gregory helped Butina and Torshin join a hunters’ rights organization and participate in the organization’s annual meeting

Safari Club International (SCI) is an international organization that describes itself as “protecting the freedom to hunt and promoting wildlife conservation.”³⁵⁸ Several of the Russian individuals who participated in the 2015 Moscow trip were identified as members of the organization, including Russian media oligarch Pavel Gusev, hunting magazine editor Alexander Lisitsin, and the chairman of a Moscow-based SCI affiliate club, Leonid Sonin.³⁵⁹

Documents show that the NRA paid for SCI memberships and event registration fees for Torshin and Butina. Emails provided by the NRA show that a credit card for the organization’s treasurer, Wilson H Phillips Jr., was used to pay for annual memberships and registration fees for the SCI’s 44th Annual

³⁵⁴ Joe Gregory email to Tim Burchfield, January 25, 2016, emphasis added (Gregory Production #00185).

³⁵⁵ Joe Gregory email to Maria Butina, January 27, 2016, emphasis added (Gregory Production #00198).

³⁵⁶ Department of Justice Press Release: Russian National Charged in Conspiracy to Act as an Agent of the Russian Federation Within the United States, July 16, 2018; Affidavit in support of an application for a criminal complaint at 10-11; www.justice.gov/opa/press-release/file/1080766/download. Committee staff were unable to ascertain whether Joe Gregory was the unnamed associate identified by the Department of Justice.

³⁵⁷ Department of Justice Press Release: Russian National Charged in Conspiracy to Act as an Agent of the Russian Federation Within the United States, July 16, 2018; Affidavit in support of an application for a criminal complaint at 11; www.justice.gov/opa/press-release/file/1080766/download.

³⁵⁸ Safari Club International, Who We Are, last accessed September 6, 2019; www.safariclub.org/who-we-are.

³⁵⁹ Itinerary for David Keene, November 28 – December 13, 2015 (NRA Production #0000093); Itinerary for Pete Brownell, December 2 – 13, 2015 (NRA Production #0000117); Safari Club International affiliates, www.safariclub.org/join-and-participate/partners/affiliates.

Hunters' Convention in 2016 for both Torshin and Butina. The total cost for membership and registrations was \$520.³⁶⁰

Gregory further facilitated their participation in the SCI event by providing Butina and Torshin with transportation to and lodging for the organization's Las Vegas meeting. In his letter to Ranking Member Wyden, Gregory confirmed, "Ms. Butina and Mr. Torshin flew together on Mr. Gregory's personal aircraft from Washington, D.C. to Las Vegas to attend a Safari Club International Convention... Mr. Gregory paid for Mr. Torshin's and Ms. Butina's hotel in Las Vegas."³⁶¹

Emails provided by Gregory show he planned to use rooms reserved through the NRA for Torshin and Butina. In a January 27, 2016, email to the chief pilot for Gregory Management Company, Gregory's firm, he wrote

OK Lance,

So you should go and look to book 2 separate rooms for you and Johnathan in Las Vegas. I will use the other 4 rooms currently reserved through NRA for myself, Traci, Maria and Alexander Torshin.

Vicki, make sure the NRA knows the names of the 4 individuals who will be using the 4 rooms and has a driver secured for us 4 to be picked up at Las Vegas airport FBO arriving sometime around 12:00 noon Mountain Time on Friday, February 5th. If David Keene wishes to go with us he is more than welcome.

Make sure David Keene knows Alexander Torshin and Maria Butina will be flying with me to Las Vegas SCI from Dulles on Friday morning, February 5th at 10:00 am eastern time and we will be discussing plans for a trip to Kamchatka for later this year to review with him.³⁶²

Gregory's email indicates he utilized the NRA to arrange for lodging for Butina and Torshin. The NRA did not reply to the Ranking Member's request for documentation on its payments for Butina and Torshin for this trip or any other.

Pete Brownell instructed NRA staff to invite a list of Russian nationals provided by Butina to the NRA 2016 Annual Meeting

Shortly after returning from Moscow, Brownell instructed NRA staff to begin the process of inviting several Russian nationals to the NRA's 2016 Annual Meeting. Documents provided to committee minority staff do not show that the organization conducted any level of due diligence or vetting of the individuals provided by Butina. In a January 9, 2016, email to Perrine, special assistant to the President, Brownell wrote:

Nick—I would like a project started to officially invite our Russian friends to our nra convention.

There is a list I think sent earlier.

³⁶⁰ NRA emails, "SCI's 44th Annual Hunters' Convention Advance Registration Receipt," January 28, 2016 (NRA Production #0000137) (NRA Production #0000140).

³⁶¹ Joe Gregory letter to Senators Wyden, Blumenthal, Warren, and Whitehouse, November 15, 2018.

³⁶² Joe Gregory email to Lance South, January 27, 2016 (Gregory Production #00200).

Given the approval time line on the Russian side and the delegate host planning on our side, we should start very soon.

Please get back to me on where and how to start this.³⁶³

Later that month, Butina detailed in an email to Pete Brownell the individuals she wanted him to invite to the NRA's 2016 Annual Meeting. She also provided a list of the events she expected her delegation to be invited to. In the same email, she proposed "the possible meeting with Trump's sons" among other events:

Dear Pete,

According to our talk there is some information below:

1. In the attached files there are 2 invitations from the NRA that were sent to Mr. Torshin and me before the NRA Annual Meeting last year. You can just change the dates.
2. There are the titles for the people that you are going to invite:
 1. Mr. Alexander Torshin, the State Secretary-Deputy Governor of the Bank of Russia.
 2. Mr. Pavel Gusev, the owner and CEO of media company – "Moskovsky Komsomoletz"; the chief editor of the newspaper "Moskovsky Komsomoletz", the Chairman of Moscow Journalist's Union.
 3. Ms. Maria Butina, the Founder and board member of The All-Russian Public Organization "The Right to Bear Arms"; the special assistant
 4. Mr. Vadim Zadorozhny, the owner of the Russian Private Vehicle Museum of Vadim Zadorozhny.
 5. Mr. Igor Pisarsky, the owner of the company <<R.I.M. Porter Novelty>>.

Just send me their invitations on my email and it would be great if I can also get them by mail too.

Mailing Address is [redacted].

3. Below are also the events that we usually were invited to:

- NRA Heritage Society Tour and Luncheon
- Corporate Executives' Luncheon
- NRA Women's Leadership Forum Reception
- Tennessee Welcomes the Ring of Freedom to Nashville
- National NRA Foundation Banquet
- NRA Ring of Freedom Celebration Brunch
- 9th Annual NRA Women's Leadership Forum Luncheon and Auction
- Hunters' Leadership Luncheon
- The NRA-ILA Leadership Forum
- NRA-ILA Dinner and Auction

³⁶³ Pete Brownell email to Nicholas Perrine, January 9, 2016 (Brownell Production 00372).

- NRA Country Jam V
- Annual Meeting of Members
- VIP Photo Opportunity
- NRA Texas Reception
- Co-Chair Reception*
- NRA Presents Alan Jackson ‘Keepin’ It Country’ Tour with Special Guest Jeff Foxworthy
- Cigar & Brandy Reception
- 2015 Prayer Breakfast
- Private Breakfast with Wayne LaPierre
- 2nd Annual NRA Women’s New Energy Breakfast
- Joe Gregory’s Ringing of The Freedom Bell and other the Golden Ring of Freedom dinners
- Some committees that are available for us

All Women’s Events are only for me, of course.

Let’s also add there:

- ***The possible meeting with Trump’s sons.***
- Safari International Event
- Texas NRA group meeting³⁶⁴

Brownell forwarded Butina’s email to Perrine, then-NRA President Cors, and David Keene and included the following:

Nick and David –

I reached out to Maria during SHOT Show for her input on inviting a delegation from Russia. A quick reminder, while in Russia, I did publically (sic) invite all of these people to attend the NRA’s 2016 Annual Meeting. Maria has been gracious enough to list these individuals with bios and offer to be the point of contact in Russia.³⁶⁵

Perrine responded the next day, “We can get formal invitations out in the immediate future. We just need to decide who they should come from.”³⁶⁶

A series of March 25, 2016, letters from NRA Secretary John C. Frazer show the organization invited several Russian nationals to the NRA’s 2016 Annual Meeting in Louisville, Kentucky. The NRA sent invitations to Maria Butina, Alexander Torshin, Russian media oligarch Pavel Gusev, Russian real estate oligarch Vadim Zadorozhny, and reported Butina and Nikolaev intermediary Igor Pisarsky (the individual Butina also identified as Putin’s campaign manager).³⁶⁷

³⁶⁴ Maria Butina email to Pete Brownell, January 25, 2016, emphasis added (NRA Production #0001384).

³⁶⁵ Pete Brownell email to Nicholas Perrine, Allan Cors, and David Keene, January 26, 2016 (NRA Production #0001384).

³⁶⁶ Nicholas Perrine email to Pete Brownell, David Keene, and Allan Cors, January 26, 2016 (NRA Production #0001384).

³⁶⁷ NRA Frazer letters, March 25, 2016 (NRA Production #0000276); The Daily Beast, *Exclusive: This Is Accused Russian Spy Maria Butina’s Secret Money Man in Moscow, Sources Say*, August 9, 2018;

The NRA later invited two more individuals, Yury Gusev and Dmitry Osipkin, at the request of Anna Kulaga, the woman identified as Butina's assistant.³⁶⁸ In an email to NRA staff, Butina's assistant identified Yury Gusev as "the Chairman of the Board of Russian Bank <<Yugra>>" and Dmitry Osipkin as "the Chairman of the Board of Russian Foundation of Perspective and Defense Strategies and Technologies <<Forpost>>."³⁶⁹ A February 2018 Armenian media report identified Gusev as having served as CEO of VTB Bank (Armenia) for six years before he was appointed in early 2018 to lead "the Moscow business at Bank Otkritie."³⁷⁰

Social media profiles for Osipkin show him in photographs with Butina and claim that he is a life member of the NRA.³⁷¹ Osipkin's social media suggests he worked for former Deputy Prime Minister Rogozin's son in the Moscow Regional Duma. A now-deleted corporate biography for Alexey Rogozin, son of the former Deputy Prime Minister, identified him as deputy of the Moscow Regional Duma from 2011-2016.³⁷² A Facebook profile for Osipkin lists "Deputy Assistant Rogozina AD" as an employer in the Moscow Regional Duma.³⁷³

An itinerary prepared by NRA staff for the Russian delegation for the 2016 Annual Meeting shows that they were scheduled to participate in the NRA International Affairs Subcommittee meeting, the NRA Legislative Policy Committee meeting, a luncheon for corporate executives with David Keene, multiple Ring of Freedom events, an NRA-ILA leadership forum, and an NRA-ILA dinner and auction.³⁷⁴ A detailed convention schedule identified Alexander Torshin, Maria Butina, Igor Pisarsky, Yury Gusev, and Dmitry Osipkin as VIPs at the Ring of Freedom welcome reception on Thursday May 19, 2016, and the NRA Ring of Freedom celebration on Friday May 20, 2016.³⁷⁵

A final May 14, 2016, email from Perrine to Keene and Hallow indicates Torshin, Butina, and Osipkin may have been the only Russian nationals who attended the organization's 2016 Annual Meeting.³⁷⁶ The NRA declined to answer questions from the Ranking Member about any additional Russian nationals who may have participated in its annual meetings.

www.thedailybeast.com/exclusive-this-is-accused-russian-spy-maria-butinas-secret-money-man-in-moscow-sources-say.

³⁶⁸ NRA letters to Dmitry Osipkin and Yury Gusev, April 7, 2016 (NRA Production #0000396) (NRA Production #0002055); Anna Kulaga email to Nicholas Perrine, April 5, 2016 (NRA Production #0001419); Maria Butina email to Nicholas Perrine, November 28, 2015 (NRA Production #0001961).

³⁶⁹ Anna Kulaga email to Nicholas Perrine and Maria Butina, April 5, 2016 (NRA Production #0002029).

³⁷⁰ ARKA News Agency, VTB Bank (Armenia) CEO to continue career at Russia's bank Otkritie, February 22, 2018; http://arka.am/en/news/business/vtb_bank_armenia_ceo_to_continue_career_at_russia_s_bank_otkritie/; According to public reporting, Torshin's Central Bank of Russia became the sole owner of Otkritie Bank in December 2017, months before Gusev joined Otkritie. *Reuters*, Russia central bank becomes sole owner of Otkritie Bank, December 11, 2017; www.reuters.com/article/russia-cenbank-otkritie/update-1-russia-central-bank-becomes-sole-owner-of-otkritie-bank-idUSL8N1OB43K.

³⁷¹ Social media profile for Dmitry Osipkin, last accessed September 6, 2019; <https://twitter.com/osipkin>; Facebook, December 18, 2012; www.facebook.com/photo.php?fbid=402067429873178&set=t.100002593023504.

³⁷² United Aircraft Corporation, Alexey Rogozin biography via the Internet Archive, March 1, 2018; https://web.archive.org/web/20180301002202/http://www.uacrussia.ru:80/en/corporation/leaders/vice-presidents/rogozin_a_d/.

³⁷³ Social media profile for Dmitry Osipkin, last accessed September 6, 2019; www.facebook.com/dmitriy.osipkin.

³⁷⁴ NRA Itinerary, "Events for delegation from Russia," May 18 – 23, 2016 (NRA Production #0000164).

³⁷⁵ NRA 2016 Annual Meeting Program, Thursday, May 19 (NRA Production #0000154) Friday, May 20 (NRA Production #0000157).

³⁷⁶ Nicholas Perrine email to David Keene and Millie Hallow, May 14, 2016 (NRA Production #0001532).

NRA officials introduced Donald Trump Jr. to Torshin and Butina at a 2016 NRA fundraiser

Brownell confirmed to committee minority staff that he introduced Donald Trump, Jr. to Torshin and Butina during a fundraiser at the NRA's 2016 Annual Meeting in Louisville, Kentucky.³⁷⁷ On August 4, 2018, the *New York Times* published a story that included a picture of Brownell and Butina posing with Trump Jr.³⁷⁸ NRA documents confirm that Brownell introduced Trump, Jr. to the Russian nationals. Brownell's counsel characterized the meeting as a chance encounter.³⁷⁹

NRA documents show that on May 21, 2015, the NRA held a fundraiser with Trump, Jr. at Brendon's Catch 23, a restaurant in Louisville.³⁸⁰ Keene and his Russian guests had a reservation for dinner at another restaurant that night.³⁸¹ Despite multiple reminders about the location and timing of his dinner the other restaurant, Keene took the Russian delegation to Brendon's Catch 23, where the NRA was hosting its fundraiser.

Brownell described the events that resulted in Butina and Torshin meeting Trump, Jr. in a May 22, 2016, email, the day after the meeting to then-NRA President Cors:

Allan –

I have a report of a very unfortunate situation involving David Keene and a set of circumstances leading to his decision to leave tomorrow morning.

David also expressed a strong desire to resign from the board. I use strong but he actually told me he is resigning from the bird (sic) and turning in his nra membership. I am hoping a night to sleep on it gives him pause on this action.

This stems from a dinner reservation mishap in which David arrived at catch 23 yesterday evening with mr Torshin, the Russian delegation and 2 of his friends, stating he was with the NRA.

Unfortunately Catch 23 placed him in 'the NRA' reserved room only to have it be the wrong reservation.

When it was realized by the restaurant or by NRA (Wayne sheets), I'm not sure whom was the catalyst of this realization, David was asked to move.

David became incensed and understandably felt a deep sense of insult and humiliation. There was a prolonged sense of extreme anger, one that I was very surprised to see from David.

The nra party was Wayne sheet's gathering of roughly 30 donors in which was the hosts. Ollie North, Woody and Don Trump were counted amount the members present.

³⁷⁷ Faegre Baker Daniels interview, June 14, 2019.

³⁷⁸ *New York Times*, Beyond the N.R.A.: Maria Butina's Peculiar Bid for Russian Influence, August 8, 2018; www.nytimes.com/2018/08/04/us/politics/maria-butina-nra-russia-influence.html.

³⁷⁹ Faegre Baker Daniels interview, June 14, 2019.

³⁸⁰ Pete Brownell email to Allan Cors, May 22, 2016 (Brownell Production #00624).

³⁸¹ Nicholas Perrine email to Maria Butina, May 18, 2016 (NRA Production #1693).

We are tracking down the facts of just what lead up to this situation. There is pretty of convincing evidence that David has made a mistake on what restaurant his reservation was in ... it was not catch 23, and the restaurant Catch 23 has made an error in handling confirming which nra reservation was being placed and then the moving of David out.

So, David will be on a plane out tomorrow with strong thoughts of resigning from board and nra.³⁸²

Keene and his Russian guests' dinner at Eddie Merlot's Steakhouse was rescheduled twice due to Torshin's uncertain arrival time to Louisville. Perrine wrote to Butina on May 18:

As for the ILA Dinner Friday night, there has been a change to your schedule. Please see attached. ***Due to Mr. Torshin's late arrival in Louisville, Mr. Keene would like to hold a private dinner for him Friday evening.*** You, Mr. Torshin, and Mr. Osipkin will now dine with Mr. Keene and a small VIP group at Eddie Merlot's Steakhouse.³⁸³

Hours later, Butina informed Perrine that Torshin would not be arriving into Louisville until close to midnight, and asked if they could reschedule the dinner for the following day, Saturday, May 21.³⁸⁴ Perrine responded affirmatively and provided an updated itinerary for the Russian delegation that included the Saturday dinner for Keene and his Russian guests.³⁸⁵ An NRA VIP car manifest confirms that Torshin arrived in Louisville shortly before midnight on May 20.³⁸⁶

Three days before the dinner, Perrine reminded Keene of his impending reservation at the Steakhouse in an email, "I was able to get a private room for 10 people at Eddie Merlot's Steakhouse for Friday night at 6:30 PM. Reservation is under your name."³⁸⁷ Keene replied within the hour, "Great."³⁸⁸ After Perrine rescheduled the dinner to Saturday night to accommodate Torshin, he emailed Keene Saturday morning to remind him of the reservation and correct location.³⁸⁹ Despite these reminders, Keene took the Russian delegation to Brendon's Catch 23, where the NRA was hosting its fundraiser.³⁹⁰

According to Brownell's counsel, after Keene and his guests were asked to leave, Keene became irate and left the venue, leaving his guests behind.³⁹¹ Further, Brownell's counsel asserted that Millie Hallow asked Brownell to introduce Trump Jr. to Keene's guests after Keene departed alone. Brownell asserted through counsel that he did not know that Butina and Torshin were Keene's guests until he made the introduction.³⁹²

Emails show that the next day Keene emailed Brownell to thank him for helping "save face for me with the Russians" and confirmed Torshin left the event satisfied:

³⁸² Pete Brownell email to Allan Cors, May 22, 2016 (Brownell Production #00624).

³⁸³ Nicholas Perrine email to Maria Butina, May 18, 2016, emphasis added (NRA Production #0003480).

³⁸⁴ Maria Butina email to Nicholas Perrine, May 18, 2016 (NRA Production #0001693).

³⁸⁵ Nicholas Perrine email to Maria Butina, "Events for Delegation from Russia" Itinerary, May 18, 2016 (NRA Production #1693).

³⁸⁶ NRA 2016 VIP Car Service Manifest, July 5, 2016 (NRA Production #0000180); NRA Production Index; Nicholas Perrine email to Anna Kulaga, April 29, 2016 (NRA Production #0001419).

³⁸⁷ Nicholas Perrine email to David Keene, May 18, 2016 (NRA Production #0002259).

³⁸⁸ David Keene email to Nicholas Perrine, May 18, 2016 (NRA Production #0002262).

³⁸⁹ Nicholas Perrine email to David Keene, May 21, 2016 (NRA Production #0001758).

³⁹⁰ NRA Document Production Index; Keene 05.16.xlsx (NRA Production #0000178).

³⁹¹ Faegre Baker Daniels interview, June 14, 2019

³⁹² *Id.*

Pete

Thanks for making the effort last night to help save face for me with the Russians. It was much appreciated and in spite of everything that transpired, *Torshin went away feeling (sic) good about his visit.*³⁹³

Documents provided by the NRA show that at least one unidentified person had misgivings about the interaction. The NRA provided copies of two text messages dated May 23, 2016, showing an unidentified individual warned Trump Jr. to avoid “a Russian gal” he’d met that weekend.

“I understand that someone introduced a Russian gal to you this week. I’ll fill you in this week but *I would steer clear if she tries to reach out to you.*”³⁹⁴

The individual identified only as “Don” replied, “OK cool just let me know.” Both text messages were partially redacted.³⁹⁵ The NRA did not respond to questions concerning the origin of these messages, why they were provided, or whether there were any other related communications that had been withheld. Keene did not respond to written questions concerning this event. The text messages—though after the fact—indicate at least one person within the organization held concerns about connecting Butina to high profile Republican figures. Yet, Butina and the Russian delegation were still given access to the NRA’s 2016 Annual Meeting events. And albeit brief, Butina and Torshin were given access to and a photo op with, Donald Trump Jr. by the Vice President of the NRA, Pete Brownell.

Butina relied on the NRA to secure visas that would allow entry to the United States for herself and others

According to public reporting and social media posts attributed to Butina, she was repeatedly denied visas to travel to the United States until she was invited to attend the NRA’s 2014 convention. She later attributed a visit to Moscow by David Keene as having given legitimacy to her applications to travel to the United States on business. According to *Politico*:

On April 25, 2014, Butina—who on Wednesday was ordered to be held in jail pending trial—posted to her LiveJournal blog from Indianapolis, where she was attending the NRA’s annual ‘congress’ as the leader of the Right to Bear Arms organization, which advocates looser gun control policies in Russia.

‘I only got a visa to the United States for annual NRA meetings on the third try. Before that, I missed these congresses for two years because of the opposition of the American government bureaucracy,’ said the post, which includes photos of her with NRA leaders and other attendees.

‘Finally, the leadership of the NRA itself [came] to visit us, after which it was possible to prove that I would not stay in the US, and I went there on business,’ Butina wrote at the time, referencing a trip to Moscow several months earlier by former NRA President David

³⁹³ David Keene email to Pete Brownell, May 22, 2016, emphasis added (Brownell Production #00628).

³⁹⁴ Text Messages, May 23, 2016, emphasis added (NRA Production #0001760).

³⁹⁵ *Id.*

Keene; a prominent NRA booster and longtime Republican operative, Paul Erickson; and other gun rights luminaries.³⁹⁶

Butina made clear in a September 2015 email to NRA staff that the organization's formal support was still necessary for her ability to travel to the United States, writing, "I also would be grateful for the formal invitation to the event—it is very useful for the passport control officer."³⁹⁷

DOJ court filings show Butina also planned to exploit her relationship with NRA officials to secure travel visas for additional Russian individuals to participate in unofficial domestic diplomatic meetings between American and Russian politicians and business interests. According to the document that Butina allegedly authored, she wrote:

At the end of 2016, three meetings to develop a joint policy for Russian-American relations are being planned at the Americans' initiative. The initiator, organizer and sponsor of these events is [redacted]. The proposed dates are: Monday, May 23, 2016, in Washington, DC, Tuesday, May 24, 2016, in New York ...

Participation in the events in May of 2016 on the part of [redacted] state secretary and vice chairman of the Bank of Russia, of Maria Butina, social activist and board member of the Russian civic organization Right to Bear Arms and also of another representative to be proposed by Russia. As possible participants, [redacted] envisions a representative of Russian big business who has interests in the US and who understands the importance of dialogue between the two countries or else a government official with analogous views. Participants that Russia might propose for participation in the meetings are: [redacted].

However that may be, the Americans would agree to any representative who Russia considers to be the most fitting third participant in the meetings. Obviously, it should be a figure who has a financial, political and/or ideological interest in developing relations between the two countries.

Remember that the annual meeting of the [redacted] will take place May 19-22, and that an invitation to the event might be issued, if need be, for this individual.³⁹⁸

The annual meeting to which Butina was referring on May 19-22 was likely the NRA's Annual Meeting, which was scheduled on those dates. Butina appeared to be anticipating that she could secure an invitation to that event if necessary in order to obtain a visa for whomever the Kremlin selected to attend her unofficial domestic diplomatic meetings. The investigation was unable to establish whether any of the multiple invitations to the 2016 NRA Annual Meeting for Russian nationals that Butina was able to obtain related to attendees for her unofficial domestic diplomatic efforts.

³⁹⁶ Politico, Accused Russian agent says she was twice denied visas to travel to U.S., July 20, 2018; www.politico.com/story/2018/07/20/mariia-butina-russia-denied-visas-734946.

³⁹⁷ Butina email to NRA staff, September 5, 2015 (NRA Production #0001143).

³⁹⁸ United States' Memorandum in Aid of Sentencing, *United States v. Mariia Butina*, No. 18-CR-218-TSC (D.D.C. Apr. 19, 2019), emphasis added; <https://assets.documentcloud.org/documents/5972875/4-19-19-US-Sentencing-Memo-Butina.pdf>.

Center for the National Interest

David Keene sits on the Board of Directors of the Center for the National Interest (CNI), a section 501(c)(3) organization based in Washington, DC.³⁹⁹ Invitations to CNI events and monthly updates on CNI activities intended for Keene were routinely sent to Perrine at the NRA and copies were provided to the Ranking Member by the NRA.

The Center and its President and CEO, Dimitri Simes, were discussed extensively in Special Counsel Robert Mueller's Report on the Investigation into Russian Interference in the 2016 Presidential Election. Special Counsel Mueller identified CNI as "a think tank with expertise in and connections to the Russian government" and described Simes as someone who "personally has many contacts with current and former Russian government officials."⁴⁰⁰

In April 2015, Butina coordinated with the Center to arrange meetings for Torshin with officials at the Treasury Department and the Federal Reserve. Chairman Grassley and Ranking Member Wyden jointly wrote to the Center on February 13, 2019, requesting information related to the meetings.⁴⁰¹ On March 13, 2019, counsel for the Center wrote back, providing requested documents and a letter that read, in part:

To support its mission, like many prominent Washington, D.C. think tanks, the Center invites and hosts visiting foreign officials and/or scholars from time to time to speak at Center events. It is quite common for U.S. government officials to be invited to these Center events. In addition, on occasion for visiting speakers, the Center will attempt to set up meetings with government experts, policy makers, Representatives or Senators to further dialogue and to assist U.S. policy makers' efforts to advance U.S. national interests. This is what happened in 2015 with regard to Mr. Torshin, who was the Deputy Governor of the Central Bank of the Russian Federation at the time. The Center does not regard the efforts it made with regard to Mr. Torshin to be significantly different than those undertaken for other foreign speakers at Center events for whom it attempted to arrange meetings.

After learning in March 2015 that Mr. Torshin would be in the United States traveling in his personal capacity, the Center hosted a luncheon event in which Mr. Torshin was invited to speak to a small group of individuals involved in international affairs and monetary policy. Mr. Torshin spoke at the event, which we believe was attended by one State Department employee invited to the event. Ms. Butina attended the event to assist as an interpreter. It is our understanding that Mr. Torshin generally spoke about his views on the political situation in Moscow, as well as the state of the Russian economy. As has been done for other visiting speakers on occasion and as a courtesy, the Center attempted to arrange meetings with U.S. government personnel and Members of Congress while Mr. Torshin was scheduled to be in Washington, D.C. We understand that the Center contacted government personnel at the Treasury Department, Federal Reserve, and Commerce Department, as well as numerous U.S. Senators and Members of Congress, to determine whether there was an interest in meeting with Mr. Torshin while he was in Washington, D.C. We believe that the Center chose the list of people initially to contact without input

³⁹⁹ Center for the National Interest, last accessed September 6, 2019; <https://cftni.org/about/board-of-directors/>.

⁴⁰⁰ Special Counsel Robert Mueller, Report on the Investigation into Russian Interference in the 2016 Presidential Election, March 2019, at p.103; www.justice.gov/storage/report.pdf.

⁴⁰¹ Grassley Press Release, Grassley, Wyden Seek Details on Meetings Between Russian Agents & U.S. Treasury, Fed, February 15, 2019; www.grassley.senate.gov/news/news-releases/grassley-wyden-seek-details-meetings-between-russian-agents-us-treasury-fed.

from Mr. Torshin or Mr. Butina. Ultimately, we understand that Mr. Torshin met with Nathan Sheets, then Treasury Undersecretary for International Affairs, Stanley Fischer, then Federal Reserve Vice Chairman, and Congressman Randy Weber (R-TX).⁴⁰²

Committee minority staff were unable to establish any direct role that Keene played in interactions between Butina, Torshin, and the Center.

⁴⁰² CNI Letter to Chairman Grassley and Ranking Member Wyden, March 13, 2019.

V. Conclusion

The minority staff investigation confirms that the NRA, its officers, board members, and donors engaged in a years-long effort to facilitate the U.S.-based activities of Maria Butina and Alexander Torshin. The U.S. Justice Department determined the activity of those Russian nationals—one now convicted of a felony charge of conspiracy to act as an unregistered foreign agent and the other designated by the U.S. Treasury Department for the Russian Federation’s global malign activity, including attempting to subvert Western democracies and malicious cyber activities—amounted to an illegal conspiracy to gain access to American organizations through the NRA. The scope of the NRA’s support for these Russian activities raises concerns about whether the activity in which the NRA, its officers and board members engaged were in furtherance of the organization’s exempt purpose.

The minority staff investigation confirms that some members of the NRA delegation participated in the Moscow trip primarily or solely for the purpose of advancing personal business interests, rather than advancing the NRA’s tax-exempt purpose. The findings of this report suggest that the use of the organization to advance personal business interests may have exposed the NRA to further involvement in the Russian influence operation. In addition, use of NRA’s tax-exempt funds and resources in this manner raise concerns about the use of tax-exempt resources for a non-exempt purpose, private inurement prohibited under IRC section 501(c)(4), and prohibited excess benefit transactions under section 4958. The IRS has long held that illegal activity conducted by a section 501(c)(4) tax-exempt entity or by an official in his official capacity can jeopardize its tax exemption. These particular findings should be considered in the context of any other potentially improper conduct that benefited its officers or board members the NRA may have been engaged in.

The minority staff investigation also confirms some members of the NRA delegation met with sanctioned individuals. Further, members of the NRA delegation provided interviews, permitted the use of trademarked NRA logos, and appeared in promotional material for at least one sanctioned Russian arms manufacturer in their official capacity as representatives of the NRA. These interactions raise significant concerns under U.S. sanctions law. As described in this report, U.S. sanctions law does not prohibit meeting with SDNs, but does bar U.S. persons dealing in present, future, or contingent property interests of SDNs, including making or receiving contributions of funds, goods, or services to designated entities.

Participants’ willingness to meet with sanctioned individuals and entities, despite recognition of their SDN status and the potential political sensitivity of such meetings, enabled Butina and Torshin to further entrench themselves in the NRA.

This report illustrates potential weaknesses related to potential misuse of tax-exempt resources by section 501(c)(4) organizations and how such misuse can expose an organization to improper influence. The Committee and Congress should explore whether the current rules surrounding private benefit and inurement under section 501(c)(4) should be strengthened. In addition, the Committee and Congress should explore whether and to what extent the public policy doctrine and similar rules should apply to section 501(c)(4) organizations.

Further, this report illustrates potential weaknesses to foreign intelligence threats by American tax-exempt organizations. Congress should explore options to reform tax-exempt laws to protect against foreign threats. Options for reform could include increased disclosure and information reporting, clarifying the definition of political activity for purposes of section 501, strengthening campaign finance rules surrounding so-called “dark money” organizations such as politically-active section 501(c)(4) organizations, and potentially establishing rules similar to those under section 501(p) to provide for the

suspension of tax exempt status of any organization that has organized meetings with sanctioned individuals or engaged in similar acts.

A compulsory audit of the organization's activity would be required to fully determine the severity of the actions identified in this report. Committee minority staff is aware that the New York State and District of Columbia Attorneys General offices have initiated audits of the NRA's compliance with applicable tax laws. In addition, because determinations related to enforcement actions and revocation of tax-exempt status may depend on the persistence and quantity of impermissible acts, a broader review of NRA's activities in recent years is necessary to determine whether NRA has engaged in a persistent pattern of impermissible conduct. The minority staff is aware of additional allegations of private inurement and misuse of tax-exempt resources at the NRA beyond the 2015 Russia trip. Ranking Member Wyden has initiated an inquiry into these allegations and the minority staff will continue to review the findings from that investigation.

Addendum

In support of their findings that Pete Brownell's participation in the 2015 trip to Moscow was standard business practice and had no relationship to the NRA's tax-exempt purpose, the majority staff cited an excerpt of a November 30, 2015 email from Paul Erickson to Brownell that minority staff did not include in its report. As noted in Section I of this minority report, Erickson is understood to be U.S. person 1 in the Justice Department filings against Butina. The minority staff report includes the full text of all emails cited in the report in an appendix to allow the reader to independently interpret those citations and place them in context. Included here is the complete November 30, 2015 email referred to in the majority report. It is consistent with the description of the relationship between the elements of Brownell's trip to Moscow and the NRA contained in the minority staff report.

Happy Monday, Pete!

JUST a private note in case you get any unwanted 'mentoring' from your NRA brothers (and one-half sister married to Keene): You will NOT be 'doing business' during your days with the NRA delegation in Moscow. Should you arrive a few days ahead of the formal delegation, that is YOUR time to be spent on YOUR purposes with ZERO 'official' contacts—just an American businessman exploring business opportunities with companies unrelated to the diplomatic / good will tour that Ms. Butina has arranged for the 'honcho set.'

Don't be intimidated out of a business trip because you happen to have successfully scheduled TWO completely different missions on ONE trip to the opposite side of the world.

A final heads-up: Due to NRA protocols, it will be suggested to you that (due to seniority) David Keene and Joe Gregory are "leading" the delegation in the wake of the Cors withdrawal. That is technically correct due to your as-yet-official election to the office of President. But know with CERTAINTY that the only reason that Torshin / Butina were able to preserve the incredible VIP meeting schedule they had arranged was because of YOUR about-to-be title. Others may be introduced with various accolades, but all the Russian eyes—and questions—will be on you.

I'll keep you posted on any other last minute pre-departure intel. Call or write at any hour with questions!

Paul¹

¹ Paul Erickson email to Pete Brownell, November 30, 2015, (Brownell Production #00208).