

Approved: Jason A. Richman
JASON A. RICHMAN
Assistant United States Attorney

Before: THE HONORABLE SARAH NETBURN
United States Magistrate Judge
Southern District of New York

22 MAG 2178

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	:	<u>COMPLAINT</u>
UNITED STATES OF AMERICA	:	
	:	Violations of
- v. -	:	18 U.S.C. §§ 371,
	:	951, 1001, 1546 &
ELENA BRANSON,	:	2; 22 U.S.C. §§
a/k/a "Elena Chernykh,"	:	612 & 618
	:	
Defendant.	:	COUNTY OF OFFENSE:
	:	NEW YORK, NEW YORK
- - - - -	x	

SOUTHERN DISTRICT OF NEW YORK, ss.:

NEIL M. SOMERS, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

(Conspiracy to Act as an Agent of a Foreign Government Without Notifying the Attorney General)

1. From at least in or about 2011, up to and including the present, in the Southern District of New York and elsewhere, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, and others known and unknown, knowingly combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, acting as an agent of a foreign government without prior notification to the Attorney General, in violation of Title 18, United States Code, Section 951.

2. It was a part and an object of the conspiracy that ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, and others known and unknown, knowingly would and did act in the United States as an agent of a foreign government and foreign officials, namely, the Russian Federation, the Government of

Moscow, and officials of those foreign governments, without prior notification to the Attorney General, as required by law, in violation of Title 18, United States Code, Section 951.

OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal object thereof, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, and her co-conspirators, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. In or about March and April 2016, at the direction of an official of the Government of Moscow, BRANSON attempted to set up meetings for a Moscow government official with, among others, politicians and businesspersons in the United States.

b. Starting in or about 2013 and continuing annually thereafter, BRANSON used an organization she incorporated in the United States, the Russian Center New York, to host an annual forum on Russia which was, in part, funded and directed by the Russian Government.

c. Starting in or about 2014, at the direction of Russian officials, BRANSON operated the website for the Russian Community Council of the USA, for which she has served as Chairperson, and made specific postings to promote Russian policy positions and viewpoints.

d. In or about 2019, BRANSON coordinated a campaign to lobby Hawaiian officials not to change the name of a fort located on the Hawaiian island of Kauai, in part by providing Hawaiian officials with messages from Russian officials and by organizing a trip for Hawaiian officials to Moscow to meet with high-ranking Russian Government personnel.

(Title 18, United States Code, Section 371.)

COUNT TWO

(Acting as an Agent of a Foreign Government
Without Notifying the Attorney General)

4. From at least in or about 2011, up to and including the present, in the Southern District of New York and elsewhere, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, knowingly acted in the United States as an agent of a foreign

government and foreign officials, namely, the Russian Federation, the Government of Moscow, and officials of those foreign governments, without prior notification to the Attorney General, as required by law.

(Title 18, United States Code, Sections 951 and 2.)

COUNT THREE

(Conspiracy to Act as an Unregistered Agent of a Foreign Principal)

5. From at least in or about 2011, up to and including the present, in the Southern District of New York and elsewhere, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, and others known and unknown, knowingly combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, knowingly and willfully acting as an agent of a foreign principal, namely, the Russian Federation, the Government of Moscow, and officials of those governments in Russia, without registering with the Attorney General, in violation of the Foreign Agents Registration Act ("FARA"), as charged in Count Four of this Complaint.

OVERT ACTS

6. In furtherance of the conspiracy and to effect the illegal object thereof, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, and her co-conspirators, committed the overt acts, among others, set forth in paragraph 3, above, which are incorporated by reference herein.

(Title 18, United States Code, Section 371.)

COUNT FOUR

(Failure to Register as an Agent of a Foreign Principal)

7. From at least in or about 2011, up to and including the present, in the Southern District of New York and elsewhere, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, knowingly and willfully acted as an agent of a foreign principal, namely, the Russian Federation, the Government of Moscow, and officials of those governments in Russia, without registering with the Attorney General, as required by FARA, to wit, BRANSON worked on behalf of the Russian Government and

Russian officials to advance Russian interests in the United States, including by coordinating meetings for Russian officials to lobby U.S. political officials and businesspersons, and by operating organizations in the United States for the purpose of publicly promoting Russian government policies, and never registered with the Attorney General as required by FARA.

(Title 22, United States Code, Sections 612 and 618(a)(1); Title 18, United States Code, Section 2.)

COUNT FIVE

(Conspiracy to Commit Visa Fraud)

8. From at least in or about 2017, up to and including the present, in the Southern District of New York and elsewhere, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, and others known and unknown, knowingly combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, Title 18, United States Code, Section 1546(a).

9. It was a part and an object of the conspiracy that ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, and others known and unknown, knowingly made under oath, and under penalty of perjury under Title 28, United States Code, Section 1746, knowingly subscribed as true, false statements with respect to material facts in applications, affidavits, and other documents required by the immigration laws and regulations prescribed thereunder, and knowingly presented such applications, affidavits, and other documents which contained such false statements and which failed to contain any reasonable basis in law and fact, to wit, BRANSON participated in a scheme to submit to the U.S. Department of State information in support of visa applications for Russian officials and their associates that BRANSON knew contained materially false and fraudulent statements.

OVERT ACTS

10. In furtherance of the conspiracy and to effect the illegal object thereof, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, and her co-conspirators, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. In or about October 2018, BRANSON provided information to an individual about an event in the United States

that BRANSON was coordinating through the Russian Center New York so this individual could use the event as a false pretense to obtain a visa to enter the United States when, in fact, BRANSON knew the individual had no intention to attend the event.

b. In or about July and August 2019, BRANSON provided another individual an invitation to another Russian Center New York event so this individual could use the invitation as a false pretense to obtain visas for him and his family to enter the United States when, in fact, BRANSON knew the individual and his family had no intention to attend the event.

(Title 18, United States Code, Section 371.)

COUNT SIX

(Making False Statements)

11. On or about September 29, 2020, in the Southern District of New York, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, knowingly and willfully falsified, concealed, and covered up by a trick, scheme, and device a material fact, and made materially false statements and representations, to wit, during an interview with, among others, special agents of the FBI, in connection with an investigation being conducted in the Southern District of New York, BRANSON made misrepresentations in connection with the criminal conduct charged in Counts One through Four of this Complaint, including by falsely stating that she had never coordinated any meetings between U. S. business leaders or politicians and officials from the Government of Moscow.

(Title 18, United States Code, Section 1001.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

12. I am a Special Agent with the FBI. I am currently assigned to the FBI's Counterintelligence Division, where I primarily investigate crimes related to Russia, including national security-related matters such as individuals acting as illegal agents of foreign governments in the United States, espionage, and visa fraud. I have been personally involved in the investigation of this matter, and I base this

affidavit on that personal experience, as well as on my conversations with other law enforcement agents, and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during this investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Statutory Background: FARA and Section 951

13. The Foreign Agents Registration Act, 22 U.S.C. § 611 et seq., is a disclosure statute that requires any person acting in the United States as "an agent of a foreign principal" to register with the Attorney General in connection with certain types of activities, such as political or public relations efforts or lobbying on behalf of the foreign principal. Such registrations are made to the National Security Division's Foreign Agents Registration Act Unit ("FARA Unit") within the U.S. Department of Justice. It is a crime to knowingly and willfully fail to register, and to make false and misleading statements or material omissions in documents submitted to the FARA Unit under the law's provisions.

14. The purpose of FARA is to prevent covert influence by foreign principals. Proper registration under the statute allows the United States Government and the American people to evaluate the statements and activities of individuals who are serving as agents of foreign principals. Among other things, a FARA registration reveals the identity of the foreign principal on whose behalf a registrant performs services, the type of services the registrant provides the foreign principal, the source and amount of compensation the registrant receives from the foreign principal, and political campaign contributions made by the registrant while the registrant was acting as an agent of the foreign principal.

15. Section 951 of Title 18 of the United States Code makes it a criminal offense for any person, other than a diplomatic or consular official or attaché, to act in the United States as an agent of a foreign government without prior notification to the Attorney General, as required by law. For purposes of this statute, the term "agent of a foreign government" includes an individual who agrees to operate within the United States subject to the direction or control of a foreign government or official.

Overview of the Investigation and Relevant Entities

16. Based on my training, experience, and involvement in this investigation and others, including my review of publicly available information and information maintained in U.S. Government databases, I have learned the following:

a. ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, was born in the then-Soviet Union in approximately 1961, immigrated to the United States in approximately 1991, and became an American citizen in or about 1999. Over the course of at least the last approximately 10 years, BRANSON has operated as an agent of the Russian Government in the United States. According to checks of its database by the U.S. Department of Justice's FARA Unit in January 2022, BRANSON has never registered under FARA or notified the Attorney General via the National Security Division pursuant to 18 U.S.C. § 951 and 28 C.F.R. § 73.3(a) that she has been acting as an agent of a foreign government.¹ Instead, BRANSON has actively sought to hide that the Russian Government was providing her with tasking and funding her activity and she has instructed her co-conspirators to do the same.

b. In or about 2012, after BRANSON received approval from the highest levels of the Russian Government, she incorporated an organization in the United States named the Russian Center New York ("RCNY"). RCNY's "mission" outlined on its website is "to celebrate and share Russian cultural heritage for the enrichment of [the Russian American] community, improve relations between the American and the Russian people, protect the rights of Russian Americans and encourage their participation in public and cultural affairs of the U.S." The RCNY organizes, and advertises on its website, various events, including a youth forum, in and around New York City. As further detailed below, BRANSON and the RCNY have received tens of thousands of dollars in funding from the Russian Government and have taken direct orders from Russian officials concerning events and public messaging.

¹ Pursuant to 28 C.F.R. § 73.3(b) and (c), foreign agents engaged in certain law enforcement or judicial activities may make their § 951 notifications to Interpol, an FBI Legal Attaché, or the Department of Justice's Office of International Affairs. Based on my investigation, BRANSON does not fall into the categories of foreign agents that would make such notifications to these entities.

c. In addition to her position with the RCNY, BRANSON is the Chairperson of the Russian Community Council of the USA ("KSORS"),² an organization formerly known as the Coordinating Council of Russian Compatriot Organizations in the United States and that is, at least in part, funded by various Russian Government-run entities. KSORS has, among other things, coordinated an "I Love Russia" campaign in the United States and organized youth forums focused on the promotion of Russian history and culture to American youths. KSORS's website describes its mission as promoting "the consolidation of the Russian community in the United States and public organizations of Russian-speaking citizens of the United States of America." As further detailed below, BRANSON has also received funding and direction from the Russian Government regarding KSORS and its operations.

d. During this investigation, the FBI has, among other things, executed judicially authorized search warrants for (i) approximately eight of BRANSON's electronic accounts (the "Branson Accounts"³); (ii) the RCNY office (which was also BRANSON's residence) in Manhattan, New York (the "RCNY Office"); and (iii) BRANSON's person, for all electronics and other materials in her possession at the time of the search. From the RCNY Office and the search of BRANSON's person, the FBI recovered a total of approximately 34 electronic devices (the "Branson Electronics"), including approximately 11 cellular phones. The FBI also conducted a voluntary interview of BRANSON on the same day as the search of the RCNY Office (the "Branson Interview") and has interviewed other individuals living in the United States in connection with the investigation.

e. The searches of the RCNY Office (the "RCNY Search") and BRANSON's person, as well as the Branson Interview, took place on or about September 29, 2020. BRANSON flew to Moscow, Russia, on or about October 20, 2020, and BRANSON does not appear to have returned to the United States since that date. In or about March 2021, BRANSON sold the RCNY Office, which had been her residence in New York City. During in or about October and November 2020, BRANSON's then boyfriend

² KSORS is the acronym for the phonetic spelling of the organization's name in Russian.

³ The Branson Accounts include four email accounts and four social media accounts, including BRANSON's Facebook account (the "Branson Facebook Account").

("Boyfriend-1") wired approximately \$197,000 to two of BRANSON's bank accounts at Russian banks.⁴ On or about October 15, 2021, RT, formerly known as Russia Today, a Russian state-controlled television station, published an interview conducted by Maria Butina⁵ of BRANSON. During this interview, BRANSON told Butina, in substance and in part, that BRANSON left the United States for Moscow approximately one month after the Branson Interview because BRANSON was "scared" and thought the "probability was very high" that she would be arrested if she stayed in the United States.⁶

The Russian Government Uses Compatriots Abroad to
Spread Russian Propaganda and Influence

17. Based on my training, experience, and participation in this investigation and others, including my review of publicly available information, I have learned that the Russian Government, through entities like KSORS and RCNY, has sought to spread Russian propaganda and to use Russian

⁴ Bank records show that the funds were transferred from an account maintained by an individual who identified himself as BRANSON's boyfriend during an interview, and that the funds were transferred to Russian bank accounts held by "Elena Chernyk," which I know is a named used by the defendant.

⁵ On or about July 16, 2018, Maria Butina was arrested and charged in the United States District Court for the District of Columbia with participating in a conspiracy to violate 18 U.S.C. § 951 by acting as an illegal agent of the Russian Government. On or about December 13, 2018, Butina pleaded guilty and, in connection with her plea, Butina admitted, among other things, that she operated at the direction of a Russian official to establish connections with Americans with political influence and that she intended to use these connections to the benefit of the Russian Government. In or about October 2019, Butina was released from prison and removed to Russia where she is currently a representative in the Russian Duma, the lower house of Russia's parliament.

⁶ Quotations and summaries of statements or documents in this Affidavit are based in part on translations of Russian-language statements or documents, prepared by an FBI linguist or available through public sources. These are draft translations that are subject to further review. Typographical and other errors in quotations are reproduced as they appear in the original communications, unless otherwise indicated.

citizens in the United States and elsewhere to make connections with U.S. community leaders, politicians, and businesspersons. Russian leaders have made public statements emphasizing this foreign policy goal, including the following:

a. In or about October 2006, Vladimir Putin, the President of Russia, said in substance and in part that “[c]ollaboration with the diaspora, support and protection of the rights of our compatriots, constitute one of our national priorities. . . . The more powerful and successful Russia will grow, the closer will be our contacts with the diaspora abroad, and, consequently, the stronger and more influential will be the voice of our compatriots in the countries where they live.”

b. In or about October 2008, Sergey Lavrov, the Foreign Minister for the Russian Government, spoke at the World Conference of Russian Compatriots in Moscow. During his speech, Lavrov said, in substance and in part, that he was there to “note progress in the sphere of information work, and we see the more vigorous efforts in preserving and strengthening the positions of the Russian language and Russian culture in the world.” Lavrov also emphasized that “[o]f great importance [to the Russian Government] is the moral encouragement of activists of the organizations contributing to the strengthening of links with Russia and to preserving the Russian language and Russian culture.”

c. In or about September 2012, Dmitry Medvedev, the former President and Prime Minister of Russia, said in substance and in part that “[s]trengthening Russia’s standing abroad and using cultural events to secure our national interests in the world are among our key priorities. The cultural dimension is coming to the fore on the international stage. The Federal Agency for the Commonwealth of Independent States, Compatriots Living Abroad and International Cultural Cooperation, which was established four years ago, should become a key instrument of so-called soft power.”⁷

⁷ Based on my training, experience, and participation in this investigation, including my review of publicly available information, I know that the Federal Agency for the Commonwealth of Independent States, Compatriots Living Abroad and International Cultural Cooperation is also known as “Rossotrudnichestvo.” Rossotrudnichestvo is subordinate to the Ministry of Foreign Affairs, and is the cultural diplomacy arm of the Russian Federation with the mandate to promote “an

d. In or about November 2015, Lavrov published an article titled "Russian World: Steering Towards Consolidation." In this article, Lavrov wrote, in part, "The provision of support to the Russian world is an unconditional foreign-policy priority for Russia, as formalized by Russia's Foreign Policy Concept. . . . Over the years, we have managed to elevate our work in this area to an entirely new level and to create effective cooperation mechanisms in close contact with representatives of foreign communities."

e. In or about July 2020, Russia adopted constitutional amendments including, among other things, a provision establishing that "[t]he Russian Federation provides support to compatriots living abroad in exercising their rights, ensuring the protection of their interests, and preserving their shared Russian cultural identity."

BRANSON Operates as an Illegal Agent of the
Russian Government in the United States

18. Based on my training, experience, and involvement in this investigation and others, including my review of materials seized from the Branson Accounts and Branson Electronics and my review of publicly available information, I have learned the following:

a. Since at least 2011, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, has operated as an illegal Russian agent while she was living in the United States. Among other things, BRANSON has used RCNY, the entity she founded in 2012, to spread Russian influence in the United States and promote Russian interests, including through the lobbying of U.S. Government officials in favor of Russian policy positions. In addition, BRANSON has served as the Chairperson of KSORS, which is part of a network of organizations that work together to advance the interests of Russia and the Russian diaspora around the world. BRANSON has used both entities and her other connections to develop relationships between Russian officials and U.S.-based businesspersons and Government personnel and has worked to coordinate meetings in the United States for visiting Russian officials. Throughout, BRANSON has received funding and direction from the Russian Government, including from the

objective perception of modern Russia, its material and spiritual potential, and the nature of the country's internal and foreign policy."

Russian Embassy in the United States, and received tasking from high-level Russian Government officials and Russian Government-run organizations.

Branson Starts the RCNY with High-Level Russian Government Support

b. On or about January 30, 2012, BRANSON emailed another individual an attachment and wrote, in part, "please see what I did. I am sending a letter to Putin and an attachment." The attached letter was addressed to "the Prime Minister, Russian Federation, Putin V.V." In the attachment, BRANSON asked Putin to provide "administrative support" so that BRANSON could host events at the Russian Consulate in New York and the Russian Embassy in Washington, D.C. BRANSON also wrote that Putin would be invited as a "Guest of Honor" to an event in 2012 in New York. Finally, BRANSON wrote that she had "personally met with the Minister of Culture at the Russian Federation . . . to discuss and coordinate our future cultural projects and received his support and approval[.]"⁸

c. On or about January 31, 2012, BRANSON emailed another individual and wrote, in part, "Today I took a letter about our projects to Putin. Hope there is some answer on Thursday."

d. On or about February 9, 2012, BRANSON emailed another individual and wrote, in part, "Any chance to meet you tonight / tomorrow? I am meeting very important people (Putin's representative, NY senator)[.]"

e. On or about April 5, 2012, BRANSON emailed an individual who I know, based on my review of publicly available information, was then working in the New York City Mayor's Office. In this email, BRANSON wrote, in part, thanking the recipient for meeting with BRANSON, and thanking him for helping BRANSON to obtain "statistical data" to assist in BRANSON's planning for the opening of the RCNY.

⁸ Based on my training and experience, including my review of publicly available information, I know that Russia's Federal Security Service ("FSB"), which is Russia's principal security agency and the successor to the Soviet Union's Committee for State Security, otherwise known as the KGB, is the Russian Government agency which is responsible for counterintelligence and operational support for the Russian Ministry of Culture.

f. On or about April 5, 2012, BRANSON emailed another individual who I know, based on my review of publicly available information, was then the assistant to the director of a Moscow-based think tank in the field of political analysis and political projects, and wrote, in part, that BRANSON wanted to meet with the director about RCNY and to discuss RCNY's mission. BRANSON wrote that RCNY's goals were to "fight against" anti-Russian sentiment in the United States; to support the influence of pro-Russia organizations; to improve the "investment image of Russia" in the United States; and to help form a "favorable public opinion for Russia."

g. On or about May 2, 2012, BRANSON filed articles of incorporation for the RCNY. BRANSON and the RCNY have since received funding from a variety of entities controlled by the Russian Government, including the Russian Embassy to the United States, the Gorchakov Fund, and the Moscow Center for International Cooperation. Between on or about August 1, 2013 and on or about November 22, 2019, BRANSON received approximately \$173,000 from such Russian Government-controlled entities in connection with her work with the RCNY.

At the Direction of Russian Officials, BRANSON and RCNY Host Events in the United States to Spread Russian Influence

h. Starting in or about November 2013, BRANSON and the RCNY hosted an annual event titled the "Russia Forum New York." On the RCNY website, the RCNY describes this event as "an annual conference to discuss the state of the Russian economy and Russian-American business opportunities."

i. According to the RCNY website, on approximately March 27, 2015, the RCNY hosted a Russia Forum (the "2015 Forum") with a focus on "the ineffectiveness of Western sanctions against Russia, [which] would only serve to hurt business and entrepreneurial partnerships that are at the core of any future US-Russian relationship."

j. In advance of the 2015 Forum, on or about February 4, 2015, BRANSON received a wire transfer of approximately \$10,876 from the Gorchakov Fund, an entity founded and operated by the Russian Government, which indicated that the wire was for the purpose of "Holding the Russia Forum New York 2015."⁹ The Russian Foreign Minister is the Chairman of the

⁹ Based on my review of publicly available information, I know

Board for the Gorchakov Fund and the Executive Director of the Gorchakov Fund is a former Russian Ambassador and Deputy Foreign Minister in the Russian Government. After the 2015 Forum, on or about June 24, 2015, BRANSON received a wire transfer of approximately \$2,719 from the same account, which again indicated that the wire was for the purpose of "Holding the Russia Forum New York 2015." On or about April 1, 2015, BRANSON received an email from an individual identified in the email as the director of public relations for the Gorchakov Fund. In this email, the author included a list of priorities for the Gorchakov Fund, and wrote that the Russian Foreign Minister had approved the priorities list. Finally, on or about April 21, 2015, BRANSON emailed a project manager at the Gorchakov Fund ("CC-1"), who also attended the Diplomatic Academy of the Russian Ministry of Foreign Affairs, and attached a report on the 2015 Forum. In part, this report noted that Russia's then-Ambassador to the United States had spoken at the 2015 Forum about the ineffectiveness of U.S. sanctions on Russia.

k. In 2016, the RCNY again hosted a Russia Forum (the "2016 Forum"). In planning the 2016 Forum, BRANSON emailed CC-1 and wrote, in part, "Many people gathered at the forum in 2015 who disagreed with the official position of Washington and were determined to normalize relations with Russia. The results of the last forum in 2015 showed that work in this area has serious prospects."

l. On or about April 21, 2016, the RCNY hosted the 2016 Forum. Invitees to the 2016 Forum included, among others, a New York State Senator ("State Senator-1") and the head of the Department of Foreign Economic Activity and International Relations for the Government of Moscow ("CC-2").¹⁰ After the 2016 Forum, the RCNY posted on its website that CC-2 had

that the former President of Russia, Dmitry Medvedev, founded the Gorchakov Fund in approximately 2010. The founding order for the Fund read, in part, "[t]he fund is being organized by Russia's Foreign Ministry acting as its founder on behalf of the Russian Federation. Its property and assets will be formed through allocations from the federal budget, voluntary contributions and donations, and other sources, in accordance with Russia's legislation."

¹⁰ The Government of Moscow is the highest executive body of the state authority of Moscow, which is an independent federal subject of the Russian Federation.

"informed the audience that, prior to the Forum, he met with New York City leaders at the Mayor's office" and quoted CC-2 as reporting that "we agreed to reinstate our relationship between New York and Moscow, renew active cooperation and collaboration in those spheres that require priority attention."

m. Between on or about July 7 and 13, 2016, BRANSON exchanged a series of emails with CC-1. In part, CC-1 requested from BRANSON an "accounting" from the 2016 Forum, and asked for "specific examples of how the forum (including over the past years) influenced the behavior of American business." BRANSON replied, in part, that she would bring an American businessman to Moscow with her to "talk about it with the Moscow government." BRANSON added that the Moscow government had "many interesting meetings within the framework of the [2016 Forum]" and that the cooperation between Moscow and New York City Hall "should initiate the formation of the basis for further development of this cooperation after the forum."

n. In addition to the Russia Forums, the RCNY has also hosted annual youth forums in the United States since in or about 2015. According to the RCNY website, the youth forums address "cultural and social life of Russian compatriots in the USA, the preservation of our historic roots, culture, the traditions and Russian language, projects for the Russian speaking youth in the US, opportunities to take part in the cultural and business life in the USA."

o. On or about December 8, 2015, BRANSON emailed an individual a document titled "Informative Report on YFNY [Youth Forum New York] 2015." BRANSON's email was a response to an individual identified in the email as "Head of the department for work with compatriots" from the "State Unitary Enterprise Moscow Center for International Cooperation," an organization established and controlled by the Government of Moscow.¹¹ The attached document included a summary of the 2015 RCNY Youth Forum and noted, in part, that the RCNY hosted the event with "the support of the Russian Consulate General in New York,

¹¹ Based on my training and experience, including my review of the website for the Moscow Center for International Cooperation (the "MCMS"), I have learned that the MCMS was established by order of the Government of Moscow on or about July 10, 2002 and is overseen by the Moscow Department of Foreign Economic and International Relations. MCMS is the acronym for the organization's name written in Russian.

Rossotrudnichestvo, the Moscow government, the Moscow House of Compatriots, and the Congress of Russian Americans.”

p. The Russian Government and Government of Moscow have provided funding to the RCNY for the RCNY to hold the annual youth forums. For example, on or about November 8, 2019, BRANSON received an email from an individual who said she was writing with the approval of a second individual who has been publicly identified as the “Head of the Special Events Department” for the MCMS. In this email, the author wrote that she was contacting BRANSON to discuss “contracting to pay for the services of organizing the Youth Forum in New York.” On or about November 10, 2019, BRANSON responded that BRANSON had “signed contracts with the State Unitary Enterprise ‘MCMS’ many times.” On or about December 5, 2019, BRANSON emailed this individual a signed “acceptance of services,” and on or about January 15, 2020, BRANSON emailed this individual a signed contract, requiring BRANSON and the RCNY to, among other things, host a forum at least 2.5 hours long, with at least 100 people, and a second event of at least 200 people, in exchange for \$10,000 in funding from the MCMS. In addition, the “Technical Task” that BRANSON was required to carry out per the terms of the contract was to create “conditions for the consolidation of Russian-speaking youth in the United States,” and to involve “young Russian compatriots of the United States in a joint discussion of the problems of consolidation and preservation of historical roots.”

q. On or about December 6, 2019, BRANSON emailed a recipient with an email domain ending in “mcms.ru.”¹² BRANSON attached to this email a Word document titled “Informative report on YFNY 2019.” In the attachment, BRANSON wrote, in part, that attendees of the youth forum included “representatives of youth from financial circles and the business elite . . . university students - leaders (Yale, Harvard, Stanford, Columbia University, Massachusetts Institute of Technology, etc.). . . The Forum welcomes young people who . . . define young Russian Americans and influence the social, economic and political life of the United States.” BRANSON outlined that the purpose of the event was the “activation of the participation of young Russian Americans in the public and political life of the USA.” As with the 2015 Forum, BRANSON also wrote that the RCNY organized the event with the “support of the Russian Embassy in the United States, Rossotrudnichestvo,

¹² “.ru” is the Internet country code for the Russian Federation, meaning an email with a “.ru” domain is hosted in Russia.

Department of Foreign Economic and International Relations of Moscow," and the "assistance" of KSORS.

BRANSON and RCNY Advocate for Russian Interests in Hawaii

19. In addition to the annual Russia Forum and youth forums in the United States, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, and the RCNY have also advocated for Russian interests in, among other places, Hawaii, at the direction of Russian officials. Based on my involvement in this investigation, including my review of publicly available information, information seized from the Branson Accounts, and information maintained by the Department of State, I have learned the following:

a. In or about November 2017, the RCNY hosted a 200th anniversary event commemorating the founding of Fort Elizabeth, Hawaii (the "200th Anniversary Event"), and American politicians, Russian Embassy officials, and BRANSON spoke at this event about, among other things, the importance of Fort Elizabeth to the Russian community.¹³

b. In the lead-up to this event, in or about October 2017, BRANSON emailed two individuals with email domains ending in "rustradeusa.org," which I know, based on my involvement in this investigation, to be an email domain used by the Russian Federation Trade Representation, which is the official body of the Russian Government in the United States designed to promote trade and economic cooperation between Russia and the United States. In this email BRANSON wrote, in part, "I am sending an invitation and a program for the events that we are holding on November 11-13 in Hawaii." Attached to this email was an invitation that read, in part:

We invite you to make a presentation on the state of current Russian-American relations and economic ties between Russia and the United States at the Russian forum on November 12. The project received support

¹³ Fort Elizabeth is located on the Hawaiian Island of Kauai. A member of the Russian-America Company - a Russian state-sponsored joint-stock company with the mission of establishing settlements in Russian colonial possessions in North America - coordinated the construction of Fort Elizabeth in or about 1817, and Fort Elizabeth is the last remaining formerly Russian fort in the Hawaiian Islands.

from the Russian Foreign Ministry, the Moscow government, the Russian Orthodox Church, the Russian Orthodox Church Outside of Russia, and numerous compatriot organizations. The celebrations will also be attended by government officials and legislators from Hawaii and Kauai, as well as other states[.]

c. On or about October 23, 2017, BRANSON, using her WhatsApp account (the "Branson WhatsApp Account"), exchanged messages with an individual I know, based on my participation in this investigation, to be an employee of the Fund for Support and Protection of the Rights of Compatriots Abroad ("RUSFUND"), which is a Russian Government-run organization dedicated to working with Russian citizens living outside of Russia. This individual wrote to BRANSON, in part, "I would like to agree with you on the topic of the speech: 'Russian Public Diplomacy and Support for Compatriots Abroad' . . . What do you think?" BRANSON replied, in part, "Is this a topic for a forum in Hawaii? Not very suitable. We need something . . . neutral about Russian-American relations." Later during the exchange, BRANSON wrote, in part, "It is important that we are not accused of being the hand of the Kremlin . . . therefore, it is better not to talk about money and your support."

d. During the RCNY Search, the FBI recovered, among other things, documents BRANSON kept at the RCNY Office concerning the 200th Anniversary Event. Based on my review of these documents, I have learned, among other things, that BRANSON kept a list of participants for the 200th Anniversary Event. Among others, this list included an individual identified as the "Trade Consul, Embassy of the Russian Federation in Washington, DC" ("Embassy Trade Consul-1"); a minister at the Russian Embassy; and another member of the Russian Ministry of Foreign Affairs. Based on my conversations with U.S. Government officials, I have learned that, in or about March 2018, the U.S. Government revoked Embassy Trade Consul-1's visa. A Russian news agency later reported that Embassy Trade Consul-1 was "expelled" from the United States in connection with a response to the poisoning of a former Russian military intelligence officer in the United Kingdom.

e. In addition to the 200th Anniversary Event, BRANSON and the RCNY also coordinated a campaign to lobby Hawaiian officials not to change the name of Fort Elizabeth.

f. On or about December 17, 2018, BRANSON emailed a member of the Kauai County Council ("Councilmember-1") and

wrote, in part, that BRANSON was "Chair of the Russian Community Council of the USA who represent 7 million Russian Americans living in the US" and that "the Russian community in the Hawaiian Islands, Russians in Kauai and Russian Community of the US . . . are extremely concerned about the renaming of the Russian Fort Elizabeth to 'Pa'ula'ula." That same day, starting approximately 42 minutes before BRANSON sent this email, BRANSON received a call from a phone number subscribed to in the name of a Russian diplomat in the United States. The call lasted approximately 31 minutes—ending approximately 11 minutes before BRANSON sent this email.

g. On or about December 20, 2018, Councilmember-1 emailed an official at the Hawaii Department of Land and Natural Resources, copying BRANSON and others, and wrote, in part, "Constituents of our Kaua'i Russian community have approached me along with the Chair of the Russian Community Council of the USA, here from New York, about their concerns that the reflection of Russia's political history with Kaua'i and King Kamualii is at risk of being erased." In addition, Councilmember-1 wrote that BRANSON and the other Russian representatives "shared with me the documents from" the Russian Ambassador to the United States ("Ambassador-1") sent to various American politicians regarding the renaming. That same day, approximately 30 minutes after this email was sent by Councilmember-1, BRANSON received a call from a phone number subscribed to another Russian diplomat ("Diplomat-1") in the United States. The call lasted approximately 18 minutes.

h. On or about December 25, 2018, BRANSON received two phone calls from Diplomat-1, lasting a total of approximately 43 minutes.

i. On or about February 7, 2019, Councilmember-1 forwarded BRANSON an email from Councilmember-1 to an individual working in the office of a member of the United States House of Representatives ("Representative-1"). In this email, Councilmember-1 asked whether Representative-1 was in Hawaii and, if so, if Representative-1 was available for a meeting with "an extraordinary group of people regarding Russian diplomacy," including BRANSON, and "two diplomats from the Russian embassy in Washington DC."

j. On or about February 8, 2019, another Russian diplomat emailed Councilmember-1, copying BRANSON and others, attaching letters from Ambassador-1 to various Hawaiian politicians. The attached letters read, in part, that

Ambassador-1 wanted to "express my concern over possible renaming of the Russian Fort Elizabeth" and Ambassador-1's opinion that "the initiative is aimed at rewriting history of not only Russia, but also the U.S."

k. On or about April 9, 2019, BRANSON, using the Branson WhatsApp Account, exchanged a series of messages with an individual who I know, based on my review of publicly available information, to be the head of the Special Events Department for the MCMS. See *supra* ¶ 18(p). During this message exchange, BRANSON wrote, in part, that she expected to bring a delegation from Hawaii to Vologda, Russia, and that the delegation was working on the Fort Elizabeth renaming project. BRANSON further wrote, in part, that she needed to bring them to Russia to promote "friendliness" and for a "show," and that she would need funding to pay for their food, hotel, and expenses.

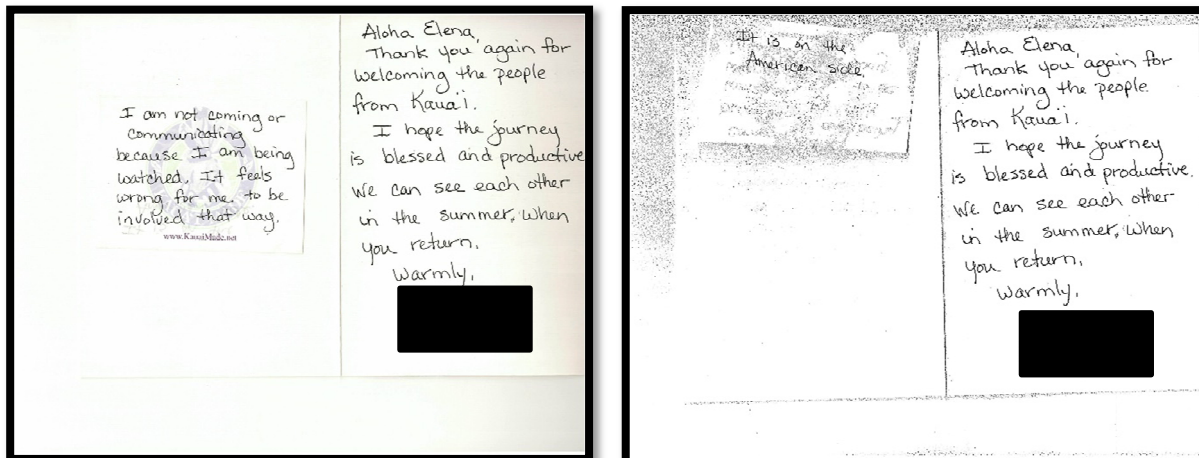
l. On or about May 22, 2019, BRANSON emailed Councilmember-1 and others a Word document titled "ITINERARY TRIP TO RUSSIA." The attached document included an itinerary for a trip to Russia from May 30 to June 6, 2019, which included a visit to the Russian Ministry of Foreign Affairs and meeting with the Deputy Foreign Minister.

m. On or about May 30, 2019, Councilmember-1 checked in to a particular Moscow hotel, along with other individuals copied on the email sent by BRANSON attaching the itinerary described above. Councilmember-1's "home address" was listed in hotel records as "Russian Federation RU."

20. Based on my review of reports prepared by other FBI agents, I have learned that, on or about September 30, 2020, FBI agents interviewed Councilmember-1. During this interview, in substance and in part, Councilmember-1 told the FBI that Councilmember-1 first met ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, in December 2018, when BRANSON came to Councilmember-1's office with letters from the Russian Government for various Hawaiian politicians. Councilmember-1 explained that BRANSON was trying to get the letters delivered and that BRANSON believed that the Russian Government was being "treated rudely" through the proposed name change at Fort Elizabeth. In addition, Councilmember-1 explained that BRANSON had encouraged Councilmember-1 to run for higher office. Councilmember-1 also discussed her trip to Russia and BRANSON's involvement in coordinating various meetings while they were in Russia, which included meetings with the Ministry of Foreign

Affairs and the Department for External Economic and International Relations of the City of Moscow.

21. Based on my involvement in this investigation, I have learned that, during the RCNY Search, the FBI recovered, in part, the below-depicted note, which Councilmember-1 appears to have signed (using her first name only, which is redacted below). As shown below, Councilmember-1 wrote a "thank you" card to ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, "for welcoming the people from Kauai." Within that card was a handwritten two-sided post-it note, shown on the left side of the image. In that post-it note, Councilmember-1 appears to have written, "I am not coming or communicating because I am being watched. It feels wrong for me to be involved that way" and, on the back of the note, "It is on the American side."



BRANSON Uses RCNY to Obtain Visas for Russian Officials

22. Based on my participation in this investigation, including my review of materials seized from the Branson Accounts and Branson Electronics, my review of information from the Department of State, and my review of publicly available information, I have learned the following:

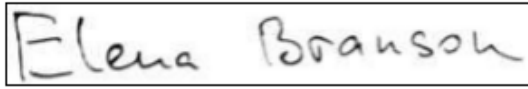
a. ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, has used RCNY and events hosted by RCNY to aid Russian officials and their associates in obtaining illegal visas to travel to the United States. For example:

i. Between on or about October 3 and 7, 2018, BRANSON engaged in a Facebook message exchange with an individual ("CC-3"), whose name is listed as the user for the particular Facebook account. Based on my review of publicly available information, I have learned that CC-3 formerly worked

at the Foundation for Supporting and Protecting the Rights of Compatriots Abroad ("PRAVFOND")¹⁴, where, in part, she coordinated events on behalf of the Russian Federal Agency for Youth Affairs, and, before that, CC-3 worked at the Russian Ministry of Justice. The messages exchanged between BRANSON and CC-3 included the following, during which CC-3 appears to be asking BRANSON if BRANSON can provide CC-3 with a false pretense through which CC-3 could obtain a visa for her mother:

CC-3	You helped me a lot last year with the invitation - I wanted to ask if it was convenient, could you sign a similar invitation only to the November 30 conference for my mum, please?
CC-3	Thank you very much in advance! If I need to write the invitation, if you have not yet done so for this event, I can help if I need to.
BRANSON	I'll do it tomorrow at this time. Now on the road. When is the last deadline?
CC-3	Mom filled out the visa form. I wanted to clarify that you don't mind that we have listed you as an inviting person and an event on November 30th - as an event you invite - right?
BRANSON	Yes, of course. I'll send an invitation today.
CC-3	Thank you so much.
BRANSON	Need to write my name - Contact person name - Elena Branson.
CC-3	Event 30.11.2018
CC-3	Consulate General of the Russian Federation in New York Address 9 E 91st St, New York, NY 10128
BRANSON	I can't write from my new computer. No programs are installed. So you could write invitations based on the information ... and send me a copy, just in case they ask.

¹⁴ Based on my training and experience, I have learned that PRAVFOND, which is an abbreviation based on the organization's name written in Russian, is an entity established by decree of the President of the Russian Federation in or about 2012, which is designed to provide Russian compatriots with comprehensive legal and other support. The Ministry of Foreign Affairs and Rossotrudnichestvo are the founding entities of PRAVFOND.

CC-3	Elena, good evening! Of course! Can you sign it sometime?
BRANSON	Yes, I will send it. 

ii. Several days later, on or about October 6, 2018, CC-3's mother¹⁵ submitted an application for a visa to visit the United States. In this application, CC-3's mother wrote, in part, that BRANSON was her contact person in the United States. In addition, in connection with this application, CC-3's mother told the Department of State that she was visiting New York to participate in a Russian cultural conference, and that she had been invited to give a speech.

iii. Between on or about July 20 and August 23, 2019, BRANSON engaged in a Facebook message exchange with a second individual ("CC-4") who communicated with BRANSON about obtaining a fraudulent visa to travel to the United States. Based on my review of publicly available information, I know that CC-4 is Russia's Honorary Consul at Point Noire, Congo.¹⁶ The messages exchanged between BRANSON and CC-4 included the following, during which CC-4 appears to be asking BRANSON for a pretense for CC-4 to apply for a visa to the United States:

CC-4	I wanted to ask if here are any of your friends or organizations that can make invitations to the United States? I wanted to make a visa and with my family come to the states. Thank you.
BRANSON	Of course. I can do that. I'll go back to New York on Monday and send it. We need passport data. I will invite you and your family to the Youth Forum in New York!
CC-4	Good morning Elena. Thank you I'll send copies of our passports. Which email address is better?

¹⁵ I believe that the application was submitted by CC-3's mother based, in part, on my review of records maintained by the Department of State, which show that the name listed in the October 2018 visa application is the same name listed as CC-3's mother in CC-3's own visa application in or about September 2017.

¹⁶ An Honorary Consul is a non-diplomatic official presence in another country, who typically will perform consular offices official acts on behalf of a foreign government.

BRANSON	Excellent. Today / tomorrow I will send an invitation.
CC-4	Elena good afternoon. The day after tomorrow, we have an interview with the U.S. Consulate. For the interview I would like to know more about the youth forum in New York. They'll ask questions. I've been browsing the net a little bit about the event.
BRANSON	[CC-4], forgive me, I did not immediately respond. Today I will write. Now in Moscow. From here, everything is more difficult.
CC-4	Tomorrow at 9 a.m., we're going to the U.S. Embassy.
BRANSON	[CC-4], I am sending a few links to previous forums. This year our annual forum is jubilee - it is held 5 times. I think that the main emphasis in answering the question about the forum should be on the Russian cultural and historical component of the forum. https://ksors.org/?p=18360 https://ksors.org/?p=16318 https://ksors.org/?p=11143 https://ksors.org/?p=8636
CC-4	Elena good evening. Visas were received. Thank you so much.

iv. On or about July 24, 2019, BRANSON submitted a letter to the Consular Section of the U.S. Embassy in Kinshasha, Congo. In this letter, among other things, BRANSON wrote that CC-4 was planning to "attend the Youth Forum New York . . . and will be dedicated to preserving Russian language, culture, and history abroad." Based on the above communications, and the fact that CC-4 could not have attended the forum, as discussed in subsection v below, I believe that this was a false statement from BRANSON so that CC-4 could rely on her misrepresentations to obtain a visa.

v. Based on my review of CC-4's publicly available Facebook account, which bears CC-4's full name, I have learned that, on or about January 5, 2020, CC-4 posted a series of pictures with a caption reading, in part, "Next destination New York City" along with a listing of other locations CC-4 appears to have visited in the United States, including "3 cities . . . 4 U.S. states . . . 4 National parks." I also know, based on my review of publicly available information, that the letter BRANSON submitted in connection with CC-4's visa application detailed that the youth forum in New York City was scheduled to be held on November 30, 2019—i.e., over a month before CC-4 said on his Facebook account that he was going to

New York. Based on these photographs, my review of the above excerpted messages, and my training and experience, I believe this demonstrates that CC-4 obtained his visa under false pretenses and never attended the youth forum hosted by RCNY.

The Russian Government Funds and Directs BRANSON and KSORS

23. Based on my training, experience, and involvement in this investigation and others, including my review of materials seized from the Branson Accounts and Branson Electronics and publicly available information, I have learned, in part, the following:

a. On or about September 17, 2014, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, received an email from another individual ("CC-5") in which CC-5 wrote, in part, about working together to "develop a [web]site for compatriots" and "working on all other issues related to the consolidation and purpose of KSORS." Based on my review of publicly available information, I know that CC-5 is the President of the Congress of Russian Americans, which listed on its website, under the "What We Do" section, that its mission is, among other things, to "combat Russo-phobia . . . and assist the development of friendly relations between the U.S. and Russia based on mutual understanding and respect."

b. On or about September 25, 2014, BRANSON received an email with a sender name identified in the email header as "Embassy (work with compatriots)" (the "Embassy Email Account") and addressed "Dear Elena." In this email, the sender wrote, in part, "we have received a cost estimate of \$5,900 for the development of a new website for the Coordinating Council of Russian Compatriot Organizations in the United States. The embassy is ready to approve the submitted estimate for the creation of the site[.]" The Embassy Email Account later wrote that the KSORS website should serve to "play a consolidating role within the Russian community in the United States" and that the funding request should be sent directly to the then-Russian Ambassador to the United States.

c. On or about October 8, 2014, the Embassy Email Account emailed BRANSON and wrote, in part, "Dear Elena, we have reviewed the proposed version of the KSORS website. You have done a great job. We hope that you will start developing the site as soon as possible. As soon as possible, we expect from you financial documents for payment." The email was signed by an individual ("Embassy Secretary") identified in her signature

block as the "Third Secretary of the Russian Embassy in the United States." On or about October 14, 2014, BRANSON emailed the Embassy Secretary an attachment, addressed to the then-Russian Ambassador to the United States, requesting payment for the costs of the development of the KSORS website.

d. On or about November 12, 2014, BRANSON emailed the Embassy Secretary and two other recipients, and wrote, in part, "thank you for your call today regarding the placement on the KSORS website, as partners, of organizations" and listed a number of entities including the Russian Ministry of Foreign Affairs, Rossotrudnichestvo, and the Russian Embassy to the United States. BRANSON further indicated that KSORS had added the listed entities in the "Partners" section and asked for "any suggestions about other partner organizations[.]"

e. On or about March 29, 2016, BRANSON emailed three recipients and wrote, in part, "[o]nce again, I sincerely thank the Government of Moscow and the Moscow House of Compatriot for approving the application 'for providing financial support to the KSORS website' in the amount of 700,000 rubles." One of the three recipients was using an email address with "mcms.ru," see *supra* ¶ 18(q), and another was using "mos.ru," which I know, based on my training and experience, is the email domain used by the Government of Moscow.

f. On or about April 15, 2016, BRANSON emailed another individual, in part, "[t]he embassy urgently asks on the KSORS website: Make a new bookmark for VICTORY DAY." Based on my review of a cached version of the KSORS website, I know that the KSORS website included a "Victory Day" banner at various points, including around the time of this email. Based on my training and experience, I know that on or about May 9 of every year, Russia celebrates what it terms "Victory Day," a holiday that commemorates the surrender of Nazi Germany to Russia in 1945.

g. On or about August 29, 2016, the Embassy Email Account forwarded BRANSON an email from a sender identified as "Press office Russia" asking BRANSON to place an attached article on the KSORS website "under the arrangement[.]" The attached article concerned the 2016 Russian Duma, or lower house of the Russian legislature, elections. Based on my review of a posting on another website, I know that the KSORS Facebook page shared a posting on or about September 16, 2016, urging participation in the Russian Duma elections.

h. On or about June 5 and 6, 2017, BRANSON exchanged emails with other KSORS members. During this email exchange, CC-3 wrote, in part, that CC-3 thought that KSORS "should not seem dependent on [the Embassy]." In response, BRANSON wrote, in part, "I don't understand what it means to 'seem to be independent!' This means that we want to show that we don't want to work with Russia? Why then go into KSORS? KSORS was created by Russia!"

i. On or about June 28, 2018, an individual ("CC-6") emailed a third person ("CC-7"), copying BRANSON, and wrote, in part, "I spoke with Elena about informational posts with political overtones on the KSORS website. . . . I believe that there is no reason to prevent us from posting such articles, and we are not violating any American laws." In response, CC-7 wrote, again copying BRANSON, "I will post articles on the site and share them through the KSORS page on Facebook."

j. On or about July 1, 2018, BRANSON, on KSORS letterhead, sent a letter addressed to Ambassador-1, asking for repayment for certain materials related to the "VI Forum of Russian Compatriots of the USA in Washington on June 10, 2018."¹⁷ In or about August 2018, BRANSON deposited a check into her Citibank account bearing her name and the RCNY Office address (the "Branson Citibank Account") in the amount requested from Ambassador-1. The account that wrote the check deposited by BRANSON is identified on the check as the "Russian Embassy to the USA."

k. On or about January 9, 2019, an individual using the email address "ruspolicy@bk.ru," identified in the email header as "Political Section," emailed BRANSON and wrote, in part, that "[w]e are interested in the number of visitors and users of the [KSORS] site for 2018." The subject line in the email was "Russian Embassy." On or about February 10, 2019, the same "ruspolicy" email account emailed BRANSON at her Gmail account and wrote, in part, that they had been "approached by the Ministry of Ethnic Affairs" with a request and asking

¹⁷ During this June 10, 2018 event, Ambassador-1 spoke to the attendees about, in part, Ambassador-1's opinion that "Russian-US relations have plunged to new lows" and the U.S. media had undertaken a campaign to discredit Russia.

BRANSON to help.¹⁸ In response, BRANSON wrote, in part, that she would "post the article on the website and [Facebook]."

l. On or about February 28, 2019, BRANSON, on KSORS letterhead, submitted a letter to Ambassador-1 requesting permission to host a "conference for Russian compatriots in the United States at the Russia Center for Science and Culture in Washington on June 13, 2020." The letter proposed that KSORS would invite to the event "100 guests" including high-ranking members of the Russian Foreign Ministry, Consuls General of the Russian Federation in New York and Houston¹⁹, and Rossotrudnichestvo members. BRANSON asked Ambassador-1 to pay over \$30,000 to support travel and lodging for participants.

m. On or about February 28, 2019, BRANSON, on KSORS letterhead, submitted a letter to Ambassador-1 with a request for permission to hold a "meeting of KSORS USA" in San Francisco, and again asking Ambassador-1 to provide funding for travel and lodging for KSORS members to attend the event.

n. On or about March 14, 2019, the Embassy Secretary emailed BRANSON and wrote, in part, that she was asking BRANSON to "familiarize yourself with the materials of the collection of the 6th World Congress of Compatriots Living Abroad, which was held in Moscow from 10/31/2018 to 11/2/2018. In addition, I ask you, if possible, by 03/15/2019 to post a collection of materials on the KSORS website." I know, based on my training and experience, that the World Congress of Compatriots Living Abroad is an event hosted by the Russian Foreign Ministry during which Russian compatriots from around the world travel back to Russia to attend speeches from high-ranking Russian officials and discuss ongoing projects from their home countries. In 2018, both President Vladimir Putin and the Russian Foreign Minister spoke at the event, and the Russian Government announced that more than 400 individuals from 98 countries planned to attend the event.

o. On or about December 11, 2019, BRANSON emailed the Embassy Email Account attaching what BRANSON described as "a

¹⁸ The Ministry of Ethnic Affairs is a Russian federal agency that is charged with maintaining inter-ethnic and inter-faith harmony in Russia.

¹⁹ A consul general is an official representative of a country who is operating in the territory of another nation.

letter with request for payment and a report on the KSORS website in English and Russian." The attachment, which was addressed to a Minister of the Government of Moscow ("Minister-1"), asked for financial support for the KSORS website and reported, in part, that "[t]he KSORS USA website disseminates information about the activities of organizations created by Russian compatriots to form a positive image of Russia and Moscow among Americans, organizational and spiritual unity, preserve and popularize the Russian language and historical heritage, and strengthen ties between compatriots and Russia."

p. On or about March 13, 2020, BRANSON, on KSORS letterhead, wrote a letter addressed to Ambassador-1 in which BRANSON wrote, in part, "[t]he KSORS website is an effective organizational tool that plays a consolidating and informational and educational role within the Russian community in the United States." BRANSON further wrote that the KSORS website was used to "form a positive image of Russia among Americans" and "strengthen ties between compatriots and Russia." BRANSON asked Ambassador-1 for additional funding to support the KSORS website in this same letter.

q. At various times between in or about October 2014 and in or about April 2020, BRANSON received emails with links to files with recorded conference calls of the KSORS Board of Directors and/or other individuals involved in planning KSORS activity (the "Conference Recordings"). The cover emails attaching the Conference Recordings also listed the participants in and dates of the recordings. Based on my review of these Conference Recordings, I have learned, in part, the following:

i. During a meeting on or about October 17, 2017, another KSORS member said that KSORS should not use the term "political" in describing their activities, and it had to appear that their organization was "not involved in politics." BRANSON replied, in part, that if they used the term "political," "they will make us register as agents," and "will say that we are the loudspeaker for the Kremlin." BRANSON emphasized, "[KSORS] can discuss international relations on any level - regional, economic, cultural, etc. But the word 'political' has to be completely eradicated. Usually, when someone talks about politics, I call it 'offset economic matters' - then it works."

ii. During a meeting on or about February 18, 2019, BRANSON said, in substance and in part, that the Russian Embassy had asked KSORS to submit applications for

projects and events for the following year, to be funded by the Russian Embassy, and noted that "some events may be attended by the Ambassador or the Consul General."

iii. During a meeting on or about April 22, 2019, BRANSON said, in substance and in part, that the KSORS Board was finalizing a participants list for an upcoming KSORS conference and were waiting on Russian Embassy approval for the conference and participants list. BRANSON also discussed the logistics of the conference and noted that the Embassy would reimburse KSORS for expenses.

iv. During a meeting on or about May 13, 2019, BRANSON said, in substance and in part, that Ambassador-1 had asked each KSORS member to present on their KSORS projects, and to explain "exactly what she or he did for the compatriots in their respective regions in the past year."

v. During a meeting on or about September 9, 2019, BRANSON said, in substance and in part, that during an upcoming meeting with Ambassador-1, the KSORS participants would present their proposed projects, and the proposals could include "financing, defending the right of compatriots, and matters of citizenship." BRANSON then said, in part, that their proposals would all be "discussed with the government of Russia and Rossotrudnichestvo."

vi. During a meeting on or about October 14, 2019, BRANSON said, in substance and in part, that Ambassador-1 was "extremely interested in promoting Russian language in the U.S." and that "KSORS needs to write a letter to the Ambassador asking him to support their projects." In addition, BRANSON said, in part, that at future meetings attendees would be forced to leave their phones outside the room because Ambassador-1 "could not speak freely because of recordings" and wanted to be "more open."

vii. During a meeting on or about December 2, 2019, a KSORS member said, in substance and in part, that he had met with Ambassador-1 and Ambassador-1 instructed him to "participate in local politics."

viii. During a meeting on or about January 13, 2020, a KSORS Board member said, in substance and in part, that the participants should send support for projects directly to Rossotrudnichestvo, to avoid questions about why KSORS was involved. BRANSON responded, in part, that KSORS would be

involved, that she had spoken to the Russian Embassy and Rossotrudnichestvo about this "at least five times," and that so long as KSORS participated in the process indirectly, it would be protected from "attacks." BRANSON further said that Rossotrudnichestvo promised BRANSON that Rossotrudnichestvo would not disclose what KSORS recommended and would keep everything verbal to avoid creating a written record of KSORS's involvement.

BRANSON Arranges Meetings for Herself and Russian Officials with U.S. Government Officials and Businesspersons

24. Based on my training and experience, including my review of materials recovered from the Branson Accounts and publicly available information, I have learned, in part, the following, about meetings arranged by ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, involving U.S. Government officials and businesspersons for both herself and for visiting Russian Government officials:

a. On or about October 5, 2015, an individual identified in his email signature block as working for the Department of Foreign Economic and International Relations of the City of Moscow ("Minister-2") emailed BRANSON with the subject line "A friendly hockey match between the Moscow Interior Ministry and New York police!" In this email, in part, Minister-2 asked BRANSON to work with the New York City Police Department to coordinate a "friendly hockey match with the New York Police" and the "Ministry of Internal Affairs of the city of Moscow[.]" On or about October 26, 2015, BRANSON responded and wrote, in part, that she had been at a "reception" with State Senator-1 and that State Senator-1 was willing to meet with a delegation from the Moscow Government on December 4, 2015, and had reached out to the Commissioner of the New York City Police Department but had not yet spoken to him. Next, on or about November 9, 2015, Minister-2 wrote to BRANSON, in part, that he had obtained permission to travel and meet with State Senator-1. On or about November 17, 2015, BRANSON emailed Minister-2 and wrote, in part, that BRANSON had just "talked with the senator about the opportunity to go to NY City Hall" and was waiting for an answer. On or about December 1, 2015, BRANSON sent Minister-2 and two other individuals an email with the subject line "New York." In the email, BRANSON provided an agenda for their upcoming trip which included, in part, a meeting with State Senator-1; dinner with an "influential American" who was friends with "the NYC Commissioner"; and a second "dinner with the Senator on the Upper West Side."

b. In or about March 2016, BRANSON exchanged a series of emails with Minister-2. During these messages, in part, Minister-2 asked BRANSON to organize a meeting with CC-2 and the now-former President of the United States, who was then a candidate for the Republican presidential nomination, or his daughter, in New York. On or about March 23, 2016, BRANSON received an email from Minister-2 with the subject line "additional meetings of [CC-2]." The email stated, in part, that the author was requesting BRANSON's assistance in organizing meetings for CC-2 with "the management" of certain specified U.S. companies. On or about March 16, 2016, BRANSON sent an individual, who was then-chair of KSORS, a draft letter addressed to the now-former President, inviting him to the Russia Forum New York in April 2016 and suggesting that if his "busy schedule will not permit your attending our forum, perhaps you can suggest one of your children . . . who have followed in your footsteps." The draft invitation included BRANSON's name and contact information in the signature block. There is no indication that the now-former President or his children attended the referenced meeting.

c. On or about April 13, 2016, BRANSON emailed two individuals and wrote, in part, that at the "request of [CC-2]," she was sending a list of "American participants with whom he can meet during the forum the 21st of April." BRANSON then listed, among others, State Senator-1, an individual identified as a "former [U.S. intelligence agency] officer," and "American politicians."

d. On or about April 13, 2017, BRANSON emailed a group of recipients, including email addresses identified in BRANSON's email as "Embassy of the Russian Federation in the USA" and "Press Office of the Russian Embassy to the US," and BRANSON wrote, in part, that she was seeking permission to admit to Russia an individual ("Chief of Staff-1") identified in the email as a "Russian compatriot, a young New York politician" and the chief of staff to a then-member of the New York State Assembly. BRANSON wrote, in part, that Chief of Staff-1 was going to "organize a trip for 20 American politicians from New York State to Moscow, Tatarstan, and St. Petersburg," and attached a list of proposed delegates.

e. On or about October 16, 2017, BRANSON received an email from another individual advising that "in September, a delegation of State Senators came to us (in a trip that was being prepared by [Chief of Staff-1]) and the delegation had a

very interesting meeting with the Mayor of Moscow and a conference." In this email, the author wrote to BRANSON that CC-2 wanted to "make a small presentation of Moscow . . . for American colleagues and participants" at a forum BRANSON was organizing, and asked BRANSON if BRANSON could provide a space for the presentation and invite participants from her forum to attend.

f. BRANSON also attempted to arrange meetings for Russian officials at the 2016 World Chess Championship, which was held in Manhattan, New York:

1. On or about November 9, 2016, CC-6 emailed BRANSON with the subject line "Chess business." CC-6 wrote to BRANSON, in part, "as discussed we will try to get Kirsan online after tomorrow's official press-conference is over around noon at Fulton Street Market Building, South Street Seaport NY[.]"²⁰ On or about that same day, BRANSON responded to CC-6 and wrote "[CC-6], good evening! I can bring the ipad for a Skype session. I will contact the media. Need them at noon?"

2. On or about November 10, 2016, BRANSON emailed an advisor to the now-former President of the United States ("Advisor-1"), expressing congratulations for their victory in the presidential election and attaching an invitation to the World Chess Championship addressed to the then-President-elect. The invitation was signed by "President of the International Chess Federation (FIDE-FIDE)." There is no indication that the now-former President attended the referenced event.

3. On or about November 11, 2016, BRANSON was photographed at the World Chess Championship with CC-6 and a second individual who I recognize, based on my review of publicly available photographs, to be the current Press Secretary for Russian President Vladimir Putin.

²⁰Based on my training and experience, including my review of publicly available material, I have learned that Kirsan Ilyumzhinov is the former President of the Republic of Kalmykia in the Russian Federation and the former president of FIDE, the International Chess Federation. I have further learned that, on or about November 25, 2015, the United States Department of the Treasury designated Ilyumzhinov as a Specially Designated National for his involvement with the Government of Syria and related entities.

BRANSON Is Aware of FARA Registration Requirements

25. Based on my communications with the FARA Unit, my review of materials seized from the Branson Accounts, and my review of publicly available information, I have learned the following:

a. On or about January 30, 2013, BRANSON received an email from an individual using an email address ending in "mail.ru." Based on my review of publicly available information, I have learned that this individual was a Senior Vice President of the Russian American Chamber of Commerce in the USA. This email had the subject line "Problem." and the text of the email included, among other things, a portion of the FARA Unit's website with background on FARA. In response, BRANSON wrote, in part, "I am interested in the number of the law, its text in English[.]" The sender then responded with "Lena, read ..." and copied into the email background on FARA and portions of the statute.

b. On or about December 10, 2019, BRANSON received an email indicating that BRANSON had requested a new FARA "eFile" account.²¹ That day, a member of the FARA Unit emailed the Branson RCNY Account with an eFile account number and temporary password to log in to the FARA eFile system. Later that day, a user logged in to the FARA eFile system using that account number and temporary password, and entered the registration name "Russian Center, Inc." and the RCNY Office as the address. The user did not submit a FARA registration for the account. A user then accessed the account again on or about December 11, 2019, but, again, the individual did not submit a FARA registration. The internet protocol addresses connected to both log-ins of this account resolve to the same zip code as the RCNY Office.

c. On or about December 26, 2019, BRANSON emailed the Embassy Email Account. In the cover email, BRANSON wrote, in part, "[A] letter is in the attachment. Respectfully, Elena." In the attached letter, BRANSON wrote, in part, that she had been asked questions from "compatriots" about "whether

²¹ Based on my conversations with a member of the FARA Unit, I understand that this indicates that BRANSON requested a FARA eFile account be sent to her email address. An eFile account allows for the electronic filing of documents with the FARA Unit and is mandatory for new registrants after September 23, 2019.

it is necessary to register their public organizations as a foreign agent." BRANSON further wrote "[t]hese questions began to arise after the arrest of Maria Butina in Washington in July 2018 on charges of working as a foreign agent in the United States without registration." BRANSON concluded the letter by asking the Embassy to advise such Russian compatriot groups, writing, "I am asking you to provide legal advice regarding registration as a foreign agent . . . for public organizations of Russian compatriots in the United States." The letter was addressed to Ambassador-1.

The Branson Interview

26. On or about September 29, 2020, an FBI analyst and I conducted the Branson Interview. During the interview, ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, said, in substance and in part, the following:

a. RCNY's purpose was to promote Russian culture, and RCNY received some funding from the Moscow government. In general, the Moscow government provides money to compatriots' organizations around the world and BRANSON dealt with the head of Moscow's Department of International Affairs.

b. BRANSON had organized the Russia Forum New York which was designed to foster relationships between Moscow officials and businesses in the United States, as well as good relations between Russia and the United States generally.

c. BRANSON was elected a chair of the Russian Community Council of the USA, also known as KSORS, in 2018. The KSORS website was funded in part by the Government of Moscow. BRANSON was not sure if she would run to be chair again during the next elections and said that she would wait to see if "you [the FBI] had me by then."

d. BRANSON was in frequent contact with the Russian Embassy to the United States. For example, BRANSON had recently contacted the Embassy to ask about how to obtain the Russian COVID-19 vaccine for the Russian community in the United States. BRANSON was writing a letter about this issue that she planned to address directly to Russian President Vladimir Putin.

e. BRANSON organized an event to commemorate the 200th anniversary of Fort Elizabeth in Hawaii. The attendees included Russian diplomats. After the event, local Hawaiian politicians voted to remove the reference to Russia in the name

of Fort Elizabeth. Two years after the event, BRANSON organized a trip to Russia for a group of Hawaiians, including Councilmember-1.

f. BRANSON owns an apartment in Moscow that she rents out to tenants, and has a bank account at a particular bank in Russia.

g. BRANSON falsely claimed that she had never been asked to coordinate, or coordinated, any meetings between U. S. business leaders or politicians and officials from the Government of Moscow. See *supra* ¶ 24.

WHEREFORE, deponent prays that a warrant be issued and that ELENA BRANSON, a/k/a "Elena Chernykh," the defendant, be arrested and imprisoned or bailed, as the case may be.

/s authorized electronic signature

NEIL M. SOMERS
Special Agent
Federal Bureau of Investigation

Sworn to me through the transmission of this Affidavit by reliable electronic means, pursuant to Federal Rule of Criminal Procedure 4.1, this 8th day of March, 2022



THE HONORABLE SARAH NETBURN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK