

Appendix A

Appendix A – History and scope of the investigation

Senate Finance Committee Ranking Member – Senator Wyden -- began an inquiry in February 2018 of the National Rifle Association (NRA) following public reporting of potential improper activities related to the 2016 presidential election and financial contributions.¹ The Ranking Member sent a series of letters to the NRA, to which the organization provided several incomplete and insufficient responses.² He also sent a request to the U.S. Treasury Department requesting any information in its possession relating to Alexander Torshin and the NRA.³ At the request of staff for Chairman Hatch, NRA leadership agreed to participate in a voluntary interview with bipartisan Senate Finance Committee staff in April of 2018.⁴ To the best knowledge of staff involved, the organization’s counsel provided full verbal responses to questions related to contributions from Russian nationals to the organization, but provided none of the documentation or materials Senator Wyden had previously requested in writing on February 2, March 5, and March 27, of 2018.

Ranking Member Wyden subsequently referred his communications with the NRA regarding campaign financing to the FEC in two letters in May and July 2018.⁵ Although the FEC initially indicated that they would pursue the matter,⁶ in August 2019 they formally declined to do so. FEC Chair Ellen Weintraub characterized the decision as “an abandonment of the Commission’s basic duty to investigate wrongdoing,” and “contrary to law.”⁷

On July 15, 2018, Maria Butina was arrested in Washington, DC and charged by the federal government with conspiracy to act as an agent of the Russian Federation within the United States as part of an effort to gain political access within the United States.⁸ On December 13, 2018, Butina pleaded guilty to one count of conspiracy to act as a foreign agent in the United States without registering with the Department of Justice.⁹ On April 26, 2019, she was sentenced to 18 months in prison.¹⁰

The Ranking Member and Minority Staff were aware from public reporting that in December 2015, several NRA officers and representatives traveled to Russia and held meetings with Russian government

¹ *McClatchy*, FBI investigating whether Russian money went to NRA to help Trump, January 18, 2018; www.mcclatchydc.com/news/nation-world/national/article195231139.html.

² Ranking Member letter to NRA, February 2, 2018; NRA Response, February 15, 2018; Ranking Member letter to NRA, March 4, 2018; NRA Response, March 19, 2018; Ranking Member letter to NRA, March 27, 2018; NRA Response, April 10, 2018.

³ Ranking Member letter to Treasury Secretary Mnuchin, February 2, 2018.

⁴ Bipartisan staff interview with NRA leadership, April 27, 2018.

⁵ Ranking Member 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; Ranking Member letter to the Federal Election Commission, July 31, 2018.

⁶ Politico, FEC probes whether NRA got illegal Russian donations, March 16, 2018; www.politico.com/story/2018/03/16/nra-russia-election-donations-fec-investigation-468661.

⁷ FEC MUR 7314, Statement of Chair Ellen L. Weintraub, August 16, 2019; www.fec.gov/files/legal/murs/7314/7314_1.pdf.

⁸ Department of Justice Press Release, July 16, 2018; www.justice.gov/opa/pr/russian-national-charged-conspiracy-act-agent-russian-federation-within-united-states.

⁹ CNN, Alleged Russian Spy Maria Butina pleads guilty to engaging in conspiracy against US; www.cnn.com/2018/12/13/politics/maria-butina-guilty-plea/index.html.

¹⁰ NPR, Russian Agent Maria Butina Sentenced To 18 Months Following Guilty Plea, April 26, 2019; www.npr.org/2019/04/26/71679929/russian-agent-maria-butina-to-be-sentenced-in-federal-court-on-friday.

officials, toured Russian arms manufacturing companies, and met with members of the pro-firearms organization “Right to Bear Arms.” The Right to Bear Arms organization was founded by Butina—a Russian citizen who had a leading role in organizing the NRA delegation’s trip.¹¹

Following Butina’s arrest, on July 23, 2018, the Ranking Member and Senate Finance Committee members Senators Menendez and Whitehouse sent a request to the Treasury Department requesting it comply with Senator Wyden’s initial February 2, 2018, request for information related to Alexander Torshin and the NRA.¹² On July 26, 2018, Senators Wyden, Blumenthal, Warren, and Whitehouse (the Senators), in their capacity as United States Senators, sent requests for information to individuals who traveled to Moscow in December 2015 as part of the NRA delegation. The Senators requested information from delegation participants David Keene, Pete Brownell, Joe Gregory, Jim Liberatore, Arnold Goldschlager, Hilary Goldschlager, and David Clarke.¹³

Responses and Productions:

Counsel for Dr. Goldschlager responded in writing to the Senators’ requests for himself and his daughter, Hilary, on August 8, 2018, but provided no supporting documentation or correspondence.¹⁴ Counsel for the Outdoor Sportsman Group provided a response to the Senators’ request on behalf of the company’s CEO, Jim Liberatore, on September 7, 2018, but provided no supporting documentation or correspondence.¹⁵ Counsel for Pete Brownell requested an extension to provide a response to the Senators on August 2, 2018. His counsel later provided three tranches of documents to Senate Finance Committee Minority Staff on December 14, 2018. Joe Gregory did not respond to the Senators’ initial request for information. Minority Committee staff contacted him again on September 6, 2018. Gregory provided approximately 200 pages of documents and correspondence to Committee staff on November 15, 2018. David Clarke did not respond to the Senators’ July 26, 2018, request. David Keene did not respond to repeated requests for information.

Senator Wyden sent an August 13, 2018, supplemental request to the NRA for any documents related to the Senators’ initial July 26, 2018, inquiry.¹⁶ In response to Senator Wyden’s August 13 letter, the NRA and John Frazer, the NRA’s Secretary and General Counsel, began a rolling document production to Senate Finance Committee Minority Staff. The NRA responded with eleven tranches of documents comprising some 4,200 pages beginning September 1, 2018, and ending on February 8, 2019.

After analyzing initial document productions from the NRA and Joe Gregory, Ranking Member Wyden wrote the three former NRA presidents David Keene, Allan Cors, and Pete Brownell on December 13, 2018, requesting that they schedule voluntary staff interviews to help Committee staff clarify several

¹¹ *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/.

¹² Ranking Member letter to Treasury Secretary Mnuchin, July 23, 2018.

¹³ Wyden Press Release: Wyden, Blumenthal, Warren, and Whitehouse Question Participants in 2015 NRA Delegation to Moscow, July 26, 2018; www.wyden.senate.gov/news/press-releases/wyden-blumenthal-warren-and-whitehouse-question-participants-in-2015-nra-delegation-to-moscow.

¹⁴ R. Nicholas Haney, counsel for Goldschlager, letter to Senators Wyden, Blumenthal, Whitehouse, and Warren, August 7, 2018.

¹⁵ Davis Goldberg Galper PLLC, counsel for Outdoor Sportsman Group, letter to Senators Wyden, Blumenthal, Whitehouse, and Warren, September 7, 2018.

¹⁶ Wyden letter to NRA, August 13, 2018.

issues.¹⁷ Brownell did not respond directly to the request but provided some 800 pages of documents through his counsel. Neither Keene nor Cors responded to the request.

In May of 2019, in an effort to close the inquiry, Ranking Member Wyden sent written interrogatories to all three of the former NRA presidents, as well as to John Frazer in his capacity as NRA Secretary and General Counsel.¹⁸ The NRA responded on May 24, 2019, but declined to respond to the specific questions in the interrogatory or to provide any additional information.¹⁹ Cors did not respond. Keene declined to respond and suggested via email that Committee staff seek restricted transcripts of his interview with the Senate Select Committee on Intelligence.²⁰ Counsel for Brownell negotiated with Minority Staff resulting in a June 14, 2019, interview between his counsel and staff intended to address the questions raised in the interrogatory addressed to him.²¹

Disclaimer:

Senate Finance Committee Minority Staff conducted this investigation independently. Requests for information were sent to individuals and organizations solely by Senator Wyden as Ranking Member of the Committee or in his capacity as a United States Senator in coordination with his Democratic colleagues. In the only exception, on February 13, 2019, Chairman Grassley and Ranking Member Wyden sent joint requests for information to the U.S. Treasury, the U.S. Federal Reserve and to the 501(c)(3) nonprofit Center for the National Interest related to meetings that the Center arranged on behalf of Maria Butina and Alexander Torshin. All individuals and organizations who provided documents related to this investigation did so on a voluntary basis. However, no individuals or organizations who voluntarily provided documents disclosed whether they withheld any information or documents relevant to the investigation.

¹⁷ Ranking Member letters to Allan Cors, David Keene, and Pete Brownell, December 13, 2018.

¹⁸ Ranking Member letters to Allan Cors, David Keene, Pete Brownell, and John Frazer, May 3, 2019.

¹⁹ NRA letter to Ranking Member Wyden, May 24, 2019.

²⁰ David Keene email to Senate Finance Committee Minority Staff, May 3, 2019.

²¹ Faegre Baker Daniels interview, June 14, 2019.