

TRENDING: DONALD TRUMP NORTH KOREA



FBI uncovered Russian bribery plot before Obama administration approved controversial nuclear deal with Moscow

BY JOHN SOLOMON AND ALISON SPANN - 10/17/17 06:00 AM EDT

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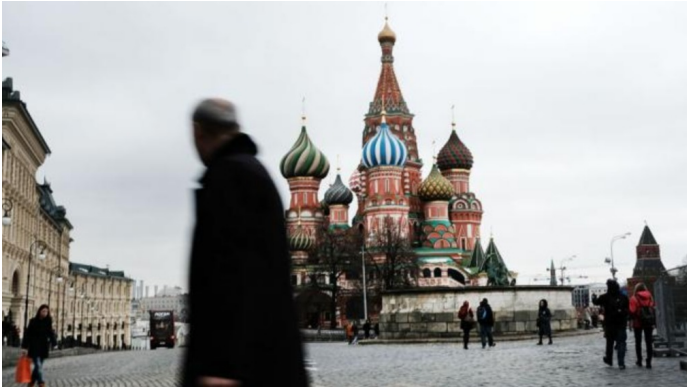
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Before the Obama administration approved a controversial deal in 2010 giving Moscow control of a large swath of American uranium, the FBI had gathered substantial evidence that Russian nuclear industry officials were engaged in bribery, kickbacks, extortion and money laundering designed to grow Vladimir Putin’s atomic energy business inside the United States, according to government documents and interviews.

Federal agents used a confidential U.S. witness working inside the Russian nuclear industry to gather extensive financial records, make secret recordings and intercept emails as early as 2009 that showed Moscow had compromised an American uranium trucking firm with bribes and kickbacks in violation of the Foreign Corrupt Practices Act, FBI and court documents show.

They also obtained an eyewitness account — backed by documents — indicating Russian nuclear officials had routed millions of dollars to the U.S. designed to benefit former President Bill Clinton’s charitable foundation during the time Secretary of State Hillary Clinton served on a government body that provided a favorable decision to Moscow, sources told The Hill.

The racketeering scheme was conducted “with the consent of higher level officials” in Russia who “shared the proceeds” from the kickbacks, one agent declared in an affidavit years later.

Rather than bring immediate charges in 2010, however, the Department of Justice (DOJ) continued investigating the matter for nearly four more years, essentially leaving the American public and Congress in the dark about Russian nuclear corruption on U.S. soil during a period when the Obama administration made two major decisions benefiting Putin’s commercial nuclear ambitions.

The first decision occurred in October 2010, when the State Department and government agencies on the Committee on Foreign Investment in the United States unanimously approved the partial sale of Canadian mining company Uranium One to the Russian nuclear giant Rosatom, giving Moscow control of more than 20 percent of America’s uranium supply.

When this sale was used by Trump on the campaign trail last year, Hillary Clinton’s spokesman said she was not involved in the committee review and noted the State Department official who handled it said she “never intervened ... on any [Committee on Foreign Investment in the United States] matter.”

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In 2011, the administration gave approval for Rosatom's Tenex subsidiary to sell commercial uranium to U.S. nuclear power plants in a partnership with the United States Enrichment Corp. Before then, Tenex had been limited to selling U.S. nuclear power plants reprocessed uranium recovered from dismantled Soviet nuclear weapons under the 1990s Megatons to Megawatts peace program.

"The Russians were compromising American contractors in the nuclear industry with kickbacks and extortion threats, all of which raised legitimate national security concerns. And none of that evidence got aired before the Obama administration made those decisions," a person who worked on the case told The Hill, speaking on condition of anonymity for fear of retribution by U.S. or Russian officials.

The Obama administration's decision to approve Rosatom's purchase of Uranium One has been a source of political controversy since 2015.

That's when conservative author Peter Schweitzer and The New York Times documented how Bill Clinton collected hundreds of thousands of dollars in Russian speaking fees and his charitable foundation collected millions in donations from parties interested in the deal while Hillary Clinton presided on the Committee on Foreign Investment in the United States.

The Obama administration and the Clintons defended their actions at the time, insisting there was no evidence that any Russians or donors engaged in wrongdoing and there was no national security reason for any member of the committee to oppose the Uranium One deal.

But FBI, Energy Department and court documents reviewed by The Hill show the FBI in fact had gathered substantial evidence well before the committee's decision that Vadim Mikerin — the main Russian overseeing Putin's nuclear expansion inside the United States — was engaged in wrongdoing starting in 2009.

Then-Attorney General [Eric Holder](#) was among the Obama administration officials joining Hillary Clinton on the Committee on Foreign Investment in the United States at the time the Uranium One deal was approved. Multiple current and former government officials told The Hill they did not know whether the FBI or DOJ ever alerted committee members to the criminal activity they uncovered.

Spokesmen for Holder and Clinton did not return calls seeking comment. The Justice Department also didn't comment.

Mikerin was a director of Rosatom's Tenex in Moscow since the early 2000s, where he oversaw Rosatom's nuclear collaboration with the United States under the Megatons to Megawatts program and its commercial uranium sales to other countries. In 2010, Mikerin was dispatched to the U.S. on a work visa approved by the Obama administration to open Rosatom's new American arm called Tenam.

Between 2009 and January 2012, Mikerin "did knowingly and willfully combine, conspire confederate and agree with other persons ... to obstruct, delay and affect commerce and the movement of an article and commodity (enriched uranium) in commerce by extortion," a November 2014 indictment stated.

His illegal conduct was captured with the help of a confidential witness, an American businessman, who began making kickback payments at Mikerin's direction and with the permission of the FBI. The first kickback payment recorded by the FBI through its informant was dated Nov. 27, 2009, the records show.

In evidentiary affidavits [signed in 2014 and 2015](#), an Energy Department agent assigned to assist the FBI in the case testified that Mikerin supervised a "racketeering scheme" that involved extortion, bribery, money laundering and kickbacks that were both directed by and provided benefit to more senior officials back in Russia.

"As part of the scheme, Mikerin, with the consent of higher level officials at TENEX and Rosatom (both Russian state-owned entities) would offer no-bid contracts to US businesses in exchange for kickbacks in the form of money payments made to some offshore banks accounts," Agent David Gadren testified.

"Mikerin apparently then shared the proceeds with other co-conspirators associated with TENEX in Russia and elsewhere," the agent added.

The investigation was ultimately supervised by then-U.S. Attorney Rod Rosenstein, an Obama appointee who now serves as [President Trump's](#)

deputy attorney general, and then-Assistant FBI Director Andrew McCabe, now the deputy FBI director under Trump, Justice Department documents show.

Both men now play a key role in the current investigation into possible, but still unproven, collusion between Russia and Donald Trump's campaign during the 2016 election cycle. McCabe is under congressional and Justice Department inspector general investigation in connection with money his wife's Virginia state Senate campaign accepted in 2015 from now-Virginia Gov. Terry McAuliffe at a time when McAuliffe was reportedly under investigation by the FBI. The probe is not focused on McAuliffe's conduct but rather on whether McCabe's attendance violated the Hatch Act or other FBI conflict rules.

The connections to the current Russia case are many. The Mikerin probe began in 2009 when Robert Mueller, now the special counsel in charge of the Trump case, was still FBI director. And it ended in late 2015 under the direction of then-FBI Director James Comey, whom Trump fired earlier this year.

Its many twist and turns aside, the FBI nuclear industry case proved a gold mine, in part because it uncovered a new Russian money laundering apparatus that routed bribe and kickback payments through financial instruments in Cyprus, Latvia and Seychelles. A Russian financier in New Jersey was among those arrested for the money laundering, court records show.

The case also exposed a serious national security breach: Mikerin had given a contract to an American trucking firm called Transport Logistics International that held the sensitive job of transporting Russia's uranium around the United States in return for more than \$2 million in kickbacks from some of its executives, court records show.

One of Mikerin's former employees told the FBI that Tenex officials in Russia specifically directed the scheme to "allow for padded pricing to include kickbacks," agents testified in one court filing.

Bringing down a major Russian nuclear corruption scheme that had both compromised a sensitive uranium transportation asset inside the U.S. and facilitated international money laundering would seem a major feather in any law enforcement agency's cap.

But the Justice Department and FBI took little credit in 2014 when Mikerin, the Russian financier and the trucking firm executives were arrested and charged.

The only public statement occurred a year later when the Justice Department put out a little-noticed press release in August 2015, just days before Labor Day. The release noted that the various defendants had reached [plea deals](#).

By that time, the criminal cases against Mikerin had been narrowed to a single charge of money laundering for a scheme that officials admitted stretched from 2004 to 2014. And though agents had evidence of criminal wrongdoing they collected since at least 2009, federal prosecutors only cited in the plea agreement a handful of transactions that occurred in 2011 and 2012, well after the Committee on Foreign Investment in the United States's approval.

The final court case also made no mention of any connection to the influence peddling conversations the FBI undercover informant witnessed about the Russian nuclear officials trying to ingratiate themselves with the Clintons even though agents had gathered documents showing the transmission of millions of dollars from Russia's nuclear industry to an American entity that had provided assistance to Bill Clinton's foundation, sources confirmed to The Hill.

The lack of fanfare left many key players in Washington with no inkling that a major Russian nuclear corruption scheme with serious national security implications had been uncovered.

On Dec. 15, 2015, the Justice Department put out a release stating that Mikerin, "a former Russian official residing in Maryland was sentenced today to 48 months in prison" and ordered to forfeit more than \$2.1 million.

Ronald Hosko, who served as the assistant FBI director in charge of criminal cases when the investigation was underway, told The Hill he did not recall ever being briefed about Mikerin's case by the counterintelligence side of the bureau despite the criminal charges that were being lodged.

"I had no idea this case was being conducted," a surprised Hosko said in an interview.

Likewise, major congressional figures were also kept in the dark.

Former Rep. Mike Rogers (R-Mich.), who chaired the House Intelligence Committee during the time the FBI probe was being conducted, told The Hill that he had never been told anything about the Russian nuclear corruption case even though many fellow lawmakers had serious concerns about the Obama administration's approval of the Uranium One deal.

"Not providing information on a corruption scheme before the Russian uranium deal was approved by U.S. regulators and engage appropriate congressional committees has served to undermine U.S. national security interests by the very people charged with protecting them," he said. "The Russian efforts to manipulate our American political enterprise is breathtaking."

This story was updated at 6:50 p.m.

Indictment Affidavit by M Mali on Scribd

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AT GREENBELT
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DISTRICT OF MARYLAND

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
JUL 25 2014

UNITED STATES OF AMERICA
v.
VADIM MIKERIN
[REDACTED]
CHEVY CHASE, MARYLAND

CRIMINAL COMPLAINT

CASE NUMBER: 14-1249 GC

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

COUNT ONE: Beginning no later than 2009 and continuing through at least in or about January 2012, in the District of Maryland and elsewhere, the defendant, Vadim Mikerin, did conspire with others known and unknown to obstruct, delay and affect commerce and the movement of articles and commodities in commerce by extortion, as those terms are defined in Title 18, United States Code, section 1951, that is, the defendant conspired to obtain the property of Victim 1 with Victim 1's consent induced by the wrongful use of force, violence, and fear, including fear of economic loss, in violation of 18 U.S.C. § 1951.

I further state that I am a Special Agent with the Department of Energy Office of the Inspector General and that this Complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: YES NO

[Signature]
Special Agent David Gadren
DOE OIG
Signature of Complainant

Sworn to before me and subscribed in my presence, on

Warrant Affidavit by M Mali on Scribd

AT GREENBELT
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

10-4500

AUSA Ake

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

IN THE MATTER OF THE SEARCH OF
BLACKBERRY SMARTPHONE MODEL
SQN100-1, SN 356112051190539

Case No. TDC 14-0529

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AT GREENBELT
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BY: [Signature] DEPUTY

**AFFIDAVIT IN SUPPORT OF AN
APPLICATION UNDER RULE 41 FOR A
WARRANT TO SEARCH**

I, DAVID N. GADREN, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant authorizing the examination of property—an electronic device—which is currently in law enforcement possession, and the extraction from that property of electronically stored information described in Attachment B.

2. I am a Special Agent with the United States Department of Energy Office of the Inspector General, and have been since November 2008. My responsibilities include investigating allegations of fraud against the government, corruption of DOE officials, embezzlement of government funds, money laundering, and illegal exportation of DOE technology, technical data, and other controlled commodities. I attended the Criminal Investigator Training Program and the Inspector General Investigator's Training Academy at the Federal Law Enforcement Center in Glyncro, Georgia. In addition, I have also received additional specialized training relating to subjects most relevant to the DOE's concerns, including fraudulent practices committed against the federal government and financial crimes.



U.S. Department of Justice
United States Attorney
District of Maryland
Southern Division

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August 14, 2015

William B. Jacobson, Esq.
Jonathan E. Lopez, Esq.
Orrick, Herrington & Sutcliffe LLP
Orrick Building at Columbia Center
1152 15th Street, NW Washington, D.C. 20005-1706

Re: United States v. Vadim Mikerin,
Criminal No. TDC-14-0529

Dear Messrs. Lopez and Jacobson:

This letter, together with the Sealed Supplement, confirms the plea agreement which has been offered to the Defendant by the United States Attorney's Office for the District of Maryland and the Fraud Section, Criminal Division, United States Department of Justice ("this Office"). If the Defendant accepts this offer, please have him execute it in the spaces provided below. If this offer has not been accepted by **August 26, 2015**, it will be deemed withdrawn. The terms of the agreement are as follows:

Offense of Conviction

1. The Defendant agrees to waive indictment and plead guilty to a one-count Superseding Information, charging him with Conspiracy to Commit Money Laundering, in violation of 18 U.S.C. § 371. The Defendant admits that he is, in fact, guilty of this offense and will so advise the Court.

TAGS HILLARY CLINTON BILL CLINTON DONALD TRUMP ERIC HOLDER

Elements of the Offense

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a. the Defendant and at least one other person entered an unlawful agreement;

b. the Defendant knowingly and willfully became a member of the conspiracy;

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