

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
Civil Action No.: 19-cv-1278 / 19-cv-1626
FOIA: 1492006-0; 1432673-0; 1432673-1; 1433273-0
PDF Title:19-cv-1278 Release 51

Total Withheld Pages = 1

Bates Page Reference	Reason for Withholding (i.e., exemptions with coded rationale, duplicate, sealed by order of court, etc.)
FBI(19cv1278) 19027	Duplicate

STATEMENT OF MICHAEL D. COHEN, ESQ.

Today, August 28, 2017, my legal counsel, Stephen M. Ryan of McDermott Will & Emery LLP, produced documents to the House Permanent Select Committee on Intelligence (the "Committee") on my behalf. Certain documents in the production reference a proposal for "Trump Tower Moscow," which contemplated a private real estate development in Russia. The proposal was similar to other ideas for real estate projects contemplated years before any campaign. I am writing to provide the Committee with additional information regarding the proposal.

As background, other U.S. hotel chains and brands had already opened in Moscow, including Hyatt Hotels Corporation, Marriott International, Inc., and the Ritz-Carlton Hotel Company. Similarly, the Trump Organization had foreign hotels, as well as golf and land projects, in Canada, India, Indonesia, Ireland, Panama, Philippines, Scotland, South Korea, Turkey, the UAE and Uruguay. During my ten years with the Trump Organization, the company received countless proposals for licensing deals and real estate ventures in locations across the globe.

In or around September 2015, I received a proposal for the construction of a luxury hotel, office, and residential condominium building in Moscow, Russia. I performed some initial due diligence to assess whether the "Trump Tower Moscow" proposal aligned with the Trump Organization's strategic business interests. Based on my preliminary assessment of the proposal, the licensee would be required to find and present an appropriate parcel of land that could be obtained and developed with all necessary government permits and permissions. In addition, the licensee would be responsible for all development costs and financing of the land and building. The Trump Organization would license the "Trump" brand name to a qualified Moscow-based real estate development company for the purpose of identifying, promoting, and marketing the building. The proposal was under consideration at the Trump Organization from September 2015 until the end of January 2016. By the end of January 2016, I determined that the proposal was not feasible for a variety of business reasons and should not be pursued further. Based on my business determinations, the Trump Organization abandoned the proposal.

I worked on the proposal within my capacity as Executive Vice President and Special Counsel to the Trump Organization. I performed a dual role in evaluating the proposal and provided both legal and business advice. I primarily communicated with the Moscow-based development company, I.C. Expert Investment Company ("Expert Investment"), through a U.S. citizen third-party intermediary, Mr. Felix Sater.

Mr. Sater was formerly an executive at a company called Bayrock Group and was involved in the deal for the Trump SoHo New York Hotel, which broke ground in 2007. Mr. Sater claimed to have appropriate relationships within the business community in Russia in order to obtain the real estate, financing, government permits, and other items necessary for such a development. The Trump Organization did not employ Mr. Sater in connection with the Trump Tower Moscow proposal, nor did the Trump Organization compensate Mr. Sater for his involvement in the proposal. Mr. Sater acted as a deal broker and would have been compensated by the licensee if the proposal had been successful. I have known Mr. Sater for several decades and I routinely

handled communications with him regarding the proposal. Mr. Sater, on occasion, made claims about aspects of the proposal, as well as his ability to bring the proposal to fruition. Over the course of my business dealings with Mr. Sater, he has sometimes used colorful language and has been prone to “salesmanship.” As a result, I did not feel that it was necessary to routinely apprise others within the Trump Organization of communications that Mr. Sater sent only to me. Mr. Sater constantly asked me to travel to Moscow as part of his efforts to push forward the discussion of the proposal. I ultimately determined that the proposal was not feasible and never agreed to make a trip to Russia. Consequently, I did not travel to Russia for this proposal (nor did any other representative of the Trump Organization to the best of my knowledge) and I have never traveled to Russia. Despite overtures by Mr. Sater, I never considered asking Mr. Trump to travel to Russia in connection with this proposal. I told Mr. Sater that Mr. Trump would not travel to Russia unless there was a definitive agreement in place. To the best of my knowledge, Mr. Trump was never in contact with anyone about this proposal other than me on three occasions, including signing a non-binding letter of intent in 2015.

On or around October 28, 2015, Trump Acquisition, LLC executed a non-binding letter of intent (“LOI”) with Expert Investment, memorializing the parties’ “intention to negotiate for and attempt to enter into a mutually acceptable agreement covering all aspects of the transaction.” The parties expressly agreed that, “unless and until a License Agreement between the Parties has been executed and delivered, . . . no party shall be under any legal obligation of any kind whatsoever to consummate a transaction hereby by virtue of this LOI.” Following execution of the non-binding LOI, we began more detailed work and analysis regarding various aspects of the proposal. For example, we solicited building designs from different architects and engaged in preliminary discussions regarding potential financing for the proposal. In mid-January 2016, Mr. Sater suggested that I send an email to Mr. Dmitry Peskov, the Press Secretary for the President of Russia, since the proposal would require approvals within the Russian government that had not been issued. Those permissions were never provided. I decided to abandon the proposal less than two weeks later for business reasons and do not recall any response to my email, nor any other contacts by me with Mr. Peskov or other Russian government officials about the proposal. The proposal never advanced beyond the non-binding LOI. I did not ask or brief Mr. Trump, or any of his family, before I made the decision to terminate further work on the proposal.

The Trump Tower Moscow proposal was not related in any way to Mr. Trump’s presidential campaign. The decision to pursue the proposal initially, and later to abandon it, was unrelated to the Donald J. Trump for President Campaign. Both I and the Trump Organization were evaluating this proposal and many others from solely a business standpoint, and rejected going forward on that basis.

Message

From: John Hemenway [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F30582622C2041B7955150894C6001F0-JHEMENWAY]
Sent: 8/1/2016 10:28:58 AM
To: Jeffrey D. Gordon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a1d38902e034dad9b00a6ddc40a5835-jdgordon]
Subject: Ukraine- Revised Format
Attachments: MEMO -- Ukraine Amendment (1).docx

1 AUG 2016

MEMO

From: J.D. Gordon, National Security Advisor, Washington, DC Office

Subject: GOP Platform: National Security, Ukraine Amendment -- Sequence of Events

Sunday, 10 JULY

- GOP Platform draft given to delegates for review. Does not include Ukraine "Assistance."

Monday, 11 JULY

- Delegates file Amendments in Subcommittee. 54 are filed in National Security.
- Amendment #3 was Delegate Diana Denman's Ukraine Support which includes "Lethal Assistance"
- Based upon Campaign National Security Advisory Team briefing with DJT and Senator JS on 31 MAR in Washington, and DJT comments/intent regarding support to Ukraine, "lethal assistance" was a problem.
- In consultation with Matt Miller, our National Security Political Whip, I asked Matt to get attention of Delegate Steve Yates, the Subcommittee Co-Chair. Matt walked over to Steve and whispered in his ear.
- Steve Yates approached side table to speak with me & Matt, and I asked if he could please ask for Amendment #3 to be tabled the end of the session to deal with concern about "Lethal Assistance".
- Steve Yates agreed with concern, then walked over to Diana Denman and asked her to withdraw Amendment #3, or table it to the end of session. She agreed to table, but not to withdraw it.
- I flagged "lethal assistance" as a problem, and notified John Mashburn, Policy Director via text message and follow up in person meeting outside Subcommittee Room.
- Amendment #3 was then amended by Steve Yates to replace "Lethal Assistance" with "Appropriate Assistance." Amendment #3 passed, as amended, near unanimously by voice vote, when it came up at the end of the session.
- The Co-chairs expressed concern over "Lethal Assistance" language, and campaign then assisted with possible compromise language. Campaign staff only spoke to Steve Yates privately.

Tuesday, 12 JULY

- At Full Committee, Diana Denman reintroduced Amendment #3 to include "Lethal Assistance" which failed. To my knowledge, there was no campaign involvement in Full Committee.

Message

From: John Hemenway [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F30582622C2041B7955150894C6001F0-JHEMENWAY]
Sent: 8/1/2016 10:30:02 AM
To: John Mashburn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cd60acd75d004ee89ee3082f642a2b2e-jmashburn]; Rick Dearborn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2f6e6fd57ba5438c9c14d3565004023c-rdearborn]
CC: Jeffrey D. Gordon [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9a1d38902e034dad9b00a6ddc40a5835-jdgordon]
Subject: Fw: Ukraine- Revised Format
Attachments: MEMO -- Ukraine Amendment (1).docx

From: John Hemenway
Sent: Monday, August 1, 2016 10:28 AM
To: Jeffrey D. Gordon
Subject: Ukraine- Revised Format

1 AUG 2016

MEMO

From: J.D. Gordon, National Security Advisor, Washington, DC Office

Subject: GOP Platform: National Security, Ukraine Amendment -- Sequence of Events

Sunday, 10 JULY

- GOP Platform draft given to delegates for review. Does not include Ukraine "Assistance."

Monday, 11 JULY

- Delegates file Amendments in Subcommittee. 54 are filed in National Security.
- Amendment #3 was Delegate Diana Denman's Ukraine Support which includes "Lethal Assistance"
- Based upon Campaign National Security Advisory Team briefing with DJT and Senator JS on 31 MAR in Washington, and DJT comments/intent regarding support to Ukraine, "lethal assistance" was a problem.
- In consultation with Matt Miller, our National Security Political Whip, I asked Matt to get attention of Delegate Steve Yates, the Subcommittee Co-Chair. Matt walked over to Steve and whispered in his ear.
- Steve Yates approached side table to speak with me & Matt, and I asked if he could please ask for Amendment #3 to be tabled the end of the session to deal with concern about "Lethal Assistance".
- Steve Yates agreed with concern, then walked over to Diana Denman and asked her to withdraw Amendment #3, or table it to the end of session. She agreed to table, but not to withdraw it.
- I flagged "lethal assistance" as a problem, and notified John Mashburn, Policy Director via text message and follow up in person meeting outside Subcommittee Room.
- Amendment #3 was then amended by Steve Yates to replace "Lethal Assistance" with "Appropriate Assistance." Amendment #3 passed, as amended, near unanimously by voice vote, when it came up at the end of the session.
- The Co-chairs expressed concern over "Lethal Assistance" language, and campaign then assisted with possible compromise language. Campaign staff only spoke to Steve Yates privately.

Tuesday, 12 JULY

- At Full Committee, Diana Denman reintroduced Amendment #3 to include "Lethal Assistance" which failed. To my knowledge, there was no campaign involvement in Full Committee.

Message

From: Rick Dearborn [rick@jeffsessions.com]
Sent: 8/1/2016 11:12:37 AM
To: Paul Manafort [REDACTED]
CC: Rick Gates [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ed6095cfa81a47f89a8efbbe97abced-rgates]
Subject: Re: ukraine
Attachments: MEMO -- Ukraine Amendment (1).docx; Denman Ukraine subcmte amendment -- official RNC doc.pdf

b6
b7C

Paul, attached is the tick tock on what happened in the National Security subcommittee re: Ukraine. In the main memo, John Mashburn, JD Gordon, Matt Miller, Brian Jack and I can all attest to the accuracy of the events as they unfolded.

Separately attached is the page kept by the RNC that denotes campaign involvement on this issue.

My apologies, I didn't recall that we had been involved beyond monitoring and I can attest to the fact that neither you, Gates or anyone else on the campaign knew of these events other than those listed above.

Standing by for any additional questions you may have.

RAD

On Mon, Aug 1, 2016 at 6:53 AM, Paul Manafort [REDACTED] wrote:

Did you find out what happen?

I need to understand the precise tick tock and how it happened.

b6
b7C

1 AUG 2016

MEMO

From: Rick Dearborn, DC Office

Subject: GOP Platform: National Security, Ukraine Amendment -- Sequence of Events

Sunday, 10 JULY

- GOP National Security section of the Platform draft given to delegates for review.
- Original draft stated the following on Ukraine. "In the international arena, weakness invites aggression. The results of the Administration's unilateral approach to disarmament are already clear: An emboldened China in the South China sea, a resurgent Russia occupying parts of Ukraine and threatening neighbors from the Baltic to the Caucasus, and an aggressive Islamist terror network in the Middle East."
- The original draft did not include "lethal assistance" nor "appropriate assistance" -- changes were debated and ultimately the latter was included in the final platform.

Monday, 11 JULY

- Delegates file Amendments in Subcommittee. 54 are filed in National Security.
- Amendment #3 was Delegate Diana Denman's (Cruz delegate from TX) Ukraine Support which includes "Lethal Assistance"
- Based upon foreign policy discussions in D.C. with the Nominee in March regarding support to Ukraine, "lethal assistance" was a geopolitical concern raised in the discussion.
- In consultation with Matt Miller, our National Security Political Whip, JD Gordon asked Matt to get attention of Delegate Steve Yates, the Subcommittee Co-Chair, an RNC Member, and a party stalwart. Matt walked over to privately brief Steve Yates of concerns over the Denman original language.
- Steve Yates approached side table to speak with JD Gordon and Matt Miller. JD asked if he could please ask for Amendment #3 to be tabled until the end of the session in order to address concerns with the "Lethal Assistance" amendment.
- Steve Yates agreed with concern and suggested on his own initiative, in discussions directly with Diana Denman, that her Amendment #3 either be withdrawn or tabled until the end of session for debate and action. She agreed to table, but not to withdraw her amendment.

1 AUG 2016

- JD flagged "lethal assistance" as a concern, and notified John Mashburn, Policy Director via text message in order to follow up in person, meeting outside the Subcommittee Room.
- After the issue was highlighted by JD, the Co-chairs agreed and expressed concern over "Lethal Assistance" language, the co-chairs, after conferring with Steve Yates, then asked the campaign to assist in drafting compromise language.
- During the final debate Amendment #3 was then amended by Steve Yates – a friendly amendment accepted by Diana Denman to replace "Lethal Assistance" with "Appropriate Assistance." Amendment #3 passed, as amended, near unanimously by voice vote.

Tuesday, 12 JULY

- At Full Committee, Diana Denman reintroduced Amendment #3 to include "Lethal Assistance" which failed. There was no campaign involvement in Full Committee. Proof of this can be confirmed by the fact that there was no Whip text message ever sent with regard to this amendment re: how delegates should vote either way.

The final section is indeed stronger with regard to support for Ukraine as you can tell by reading the section as adopted by the delegates in red.

"In the international arena, weakness invites aggression. The results of the Administration's unilateral approach to disarmament are already clear: An emboldened China in the South China Sea, a resurgent Russia occupying parts of Ukraine and threatening neighbors from the Baltic to the Caucasus, and an aggressive Islamist terror network in the middle east. **To these ends, we support maintaining, and if warranted, increasing sanctions, together with our allies, against Russia unless and until Ukraine's sovereignty and territorial integrity are fully restored. We also support providing appropriate assistance to the armed forces of Ukraine. And greater coordination with NATO defense planning.** All our adversaries heard the message in the Administration's cutbacks: America is weaker and retreating."