

BEFORE THE FEDERAL ELECTION COMMISSION

Foundation for Accountability & Civic Trust
1717 K Street NW
Washington, DC 20002

v.

DEMOCRATIC NATIONAL COMMITTEE
William Derrough, Treasurer
430 South Capitol Street, SE
Washington, DC 20003

ALEXANDRA CHALUPA
Chalupa & Associates LLC
4820 Linnean Avenue, NW
Washington, DC 20008

COMPLAINT¹

1. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that there is reason to believe the Democratic National Committee and its paid consultant and agent, Alexandra Chalupa, solicited, accepted, and received contributions from foreign nationals, 52 U.S.C. § 30121(a)(1)-(2), in violation of the Federal Election Campaign Act (“FECA”), 52 U.S.C. § 30101 *et seq.*

¹ Much of the language in this complaint is taken verbatim from a recent complaint filed by Common Cause, the Campaign Legal Center, Democracy 21, Paul S. Ryan, and Catherine Hinckley Kelley involving comparable circumstances. Given their well-known commitment to even-handed, non-partisan enforcement of federal campaign finance law, we trust they would not object.

2. Under federal law, providing anything of value, including information and leads, the fruits of paid research, or similar investigatory activity, to a political committee is an in-kind “contribution.”
3. Federal law prohibits accepting or receiving anything of value from foreign nationals. 52 U.S.C. § 30121.² Ukrainian government officials are foreign nationals.
4. Encouraging a paid consultant to request a meeting to receive an in-kind contribution constitutes making a “solicitation.” Requesting a meeting to receive an in-kind contribution constitutes making a “solicitation.” Asking for or requesting information of value to a political committee constitutes making a “solicitation.” The law prohibits soliciting contributions from foreign nationals. 52 U.S.C. § 30121.³ Ukrainian government officials are foreign nationals.
5. “If the Commission, upon receiving a complaint ... has reason to believe that a person has committed, or is about to commit, a violation of [FECA] ... [t]he Commission shall make an investigation of such alleged violation” 52 U.S.C. § 30109(a)(2) (emphasis added); *see also* 11 C.F.R. § 111.4(a).

² Paul S. Ryan, Vice President of policy and litigation at Common Cause, explained: “Federal law has long prohibited any contribution from a foreign national. . . . This means anything of value, not just money or cash.” Rebekah Entralgo, *Donald Trump Jr. ’s legal problems; Soliciting information is just enough to get you in trouble*, ThinkProgress, July 11, 2017, <https://thinkprogress.org/donald-trump-jr-potential-legal-jeopardy-f783fdab0107>.

³ Larry Noble of the Campaign Legal Center, and formerly General Counsel of the Federal Election Commission, explained, “Anyone soliciting a foreign contribution is violating the law.” Philip Bump, *That’s that: The Trump campaign welcomed Russian meddling*, Washington Post, July 11, 2017, <https://www.washingtonpost.com/news/politics/wp/2017/07/11/thats-that-the-trump-campaign-welcomed-russian-meddling/>. A longtime proponent of zealously expanding and enforcing campaign finance laws, Fred Wertheimer of Democracy 21, concurs: “Knowingly soliciting contributions, i.e. anything of value to a campaign, from foreign sources is a very serious offense.” Democracy 21, *Press Release: Trump Jr., Kushner, Manafort Violated Foreign Solicitation Ban, Watchdogs Allege In Complaints*, July 13, 2017, <http://www.democracy21.org/homepage/trump-jr-kushner-manafort-violated-foreign-solicitation-ban-watchdogs-allege-in-complaints/>.

FACTS

6. On January 11, 2017, Politico reported that “Ukrainian government officials ... helped Clinton’s allies research damaging information on Trump and his advisers.”⁴ According to this report, “A Ukrainian-American operative who was consulting for the Democratic National Committee met with top officials in the Ukrainian Embassy in Washington in an effort to expose ties between Trump, top campaign aide Paul Manafort and Russia, according to people with direct knowledge of the situation.”⁵
7. The Democratic National Committee consultant, Alexandra Chalupa, met with Ukraine’s ambassador to the United States, Valeriy Chaley, and one of his aides, Oksana Shulyar, in March 2016 at the Ukrainian embassy to discuss the Trump campaign.⁶ Subsequently, “with the DNC’s encouragement, Chalupa asked embassy staff to try to arrange an interview in which [Ukrainian President] Poroshenko might discuss [Trump campaign official Paul] Manafort’s ties to [former Ukrainian President Viktor] Yanukovich.”⁷ Politico’s report continues, “While the embassy declined that request, officials there became ‘helpful’ in Chalupa’s efforts, she said, explaining that she traded information and leads with them. ‘If I asked a question, they would provide guidance, or if there was someone I needed to follow up with.’”⁸
8. Oksana Shulyar denied working with Chalupa “on anything related to Trump or Manafort.”⁹ However, her denial was directly contradicted by a co-worker:

⁴ Kenneth P. Vogel and David Stern, *Ukrainian efforts to sabotage Trump backfire; Kiev officials are scrambling to make amends with the president-elect after quietly working to boost Clinton*, Politico, Jan. 11, 2017, <http://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

Andrii Telizhenko, who worked as a political officer in the Ukrainian Embassy under Shulyar, said she instructed him to help Chalupa research connections between Trump, Manafort and Russia. “Oksana said that if I had any information, or knew other people who did, then I should contact Chalupa,” recalled Telizhenko, who is now a political consultant in Kiev. “They were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa,” he said, adding “Oksana was keeping it all quiet,” but “the embassy worked very closely with” Chalupa.¹⁰

Telizhenko also said that the Ukrainian Embassy was engaging with Hillary Clinton’s campaign.¹¹

9. According to Politico’s report, “[a] DNC official” said that “the party did not incorporate [Chalupa’s] findings in its dossiers on the subjects.” This is an acknowledgment that the DNC was aware of and received Chalupa’s findings. Politico reports that in May 2016, Chalupa sent an email to the DNC indicating “that she had additional sensitive information about Manafort that she intended to share ‘offline’ with [DNC Communications Director Luis] Miranda and DNC research director Lauren Dillon.”¹²
10. The events and activities outlined above occurred during the first half of 2016. According to publicly filed FEC reports, the Democratic National Committee made payments to Alexandra Chalupa (through her company, Chalupa & Associates LLC) for “political consulting” in January 2016 and June 2016, demonstrating without question that Chalupa was in fact working for the Democratic National Committee when she was colluding with Ukrainian embassy officials. (The Democratic National Committee made payments to Alexandra Chalupa, through her company, Chalupa & Associates LLC, for

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

“political consulting” in 2014, 2016, and 2017. The Democratic National Committee paid Chalupa for “event consulting” in 2015.)

11. CNN reported on July 12, 2017, that “multiple Democratic sources said that a DNC contractor, whose work included organizing political events for Ukrainian-Americans, did tell DNC operatives that Ukrainian officials would be willing to deliver damaging information on Trump's campaign and, most notably, Paul Manafort, his then-campaign head who has previously advised Viktor Yanukovich, the former Ukrainian President who has close ties to Moscow.”¹³ In Politico’s report, Chalupa confirmed that this information was in fact delivered when she told Politico’s reporters that “she traded information and leads with” Ukrainian embassy officials. It is also clear that Chalupa passed this information to the Democratic National Committee, an official for which claims that the committee did “not incorporate [Chalupa’s] findings in its dossiers on the subjects,” implicitly confirming that the committee knew of those findings.
12. According to The Atlantic, “*Politico* sketched out a triangle of interactions between Chalupa, the DNC, and the Ukrainian Embassy—one based on apparent sympathy with Chalupa’s research project, if not outright coordination.”¹⁴

SUMMARY OF THE LAW

13. Federal law prohibits a foreign national from directly or indirectly making a “contribution or donation of money or other thing of value, or to make an express or implied promise to

¹³ Dan Merica, *DNC denies working with Ukrainian government, but contractor floated anti-Trump material*, CNN, July 12, 2017, <http://www.cnn.com/2017/07/12/politics/dnc-ukraine-trump-material/index.html>.

¹⁴ Uri Friedman, *The ‘What About Ukraine?’ Defense of Trump Jr. ’s Russian Meeting*, July 13, 2017, <https://www.theatlantic.com/international/archive/2017/07/russia-trump-ukraine-clinton/533394/>.

make a contribution or donation, in connection with a Federal, State, or local election,” 52 U.S.C. § 30121(a)(1)(A), and prohibits any person from soliciting, accepting or receiving such a contribution or donation from a foreign national, *id.* § 30121(a)(2).

14. “Foreign national” is defined as “an individual who is not a citizen of the United States or a national of the United States,” 52 U.S.C. § 30121(b)(2), including a “foreign principal,” such as a foreign government or political party, *id.* § 30121(b)(1).
15. “Contribution” is defined as “any gift ... of money or anything of value made by any person for the purpose of influencing any election for Federal office.” 52 U.S.C. 30101(8)(A)(i). “Anything of value” includes in-kind contributions, such as the provision of goods or services without charge or at a charge that is less than the usual and normal charge. 11 C.F.R. § 100.52(d)(1). “Usual and normal charge” is defined as the price of goods in the market from which they ordinarily would have been purchased at the time of the contribution, or the commercially reasonable rate prevailing at the time the services were rendered. *Id.* § 100.52(d)(2). “Contribution” also includes all expenditures made “in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate, his authorized political committees, or their agents.” 52 U.S.C. § 30116(a)(7)(B); *see also* 11 C.F.R. § 109.20.
16. The Commission, “in light of the broad scope of the prohibition on contributions from foreign nationals,” construes the foreign national ban to encompass the provision of anything of value, even if the value of such an in-kind contribution “may be nominal or difficult to ascertain.” Advisory Opinion 2007-22 (Hurysz).
17. The Commission broadly defines “solicit” to mean “to ask, request, or recommend, explicitly or implicitly, that another person make a contribution . . . or otherwise provide

anything of value,” and includes “an oral or written communication that, construed as reasonably understood in the context in which it is made, contains a clear message asking, requesting, or recommending that another person make a contribution.” *Id.* § 300.2(m).¹⁵ Solicitations may be made directly or indirectly. *Id.*

18. A solicitation prohibited under 11 C.F.R. § 110.20 is made “knowingly” if the person is “aware of facts that would lead a reasonable person to inquire whether the source of the funds solicited, accepted or received is a foreign national, but the person failed to conduct a reasonable inquiry.” *Id.* § 110.20(a)(4)(iii); Advisory Opinion 2016-10 (Parker) at 3. A solicitation is also made “knowingly” if a person is “aware of facts that would lead a reasonable person to conclude that there is a substantial probability that the source of the funds solicited, accepted or received is a foreign national.” 11 C.F.R. § 110.20(a)(ii).
19. The Commission’s regulations at 11 C.F.R. § 110.20 implementing the statutory foreign national solicitation ban provide that “[n]o person shall knowingly solicit, accept, or receive from a foreign national any contribution or donation” to a political committee in connection with U.S. elections. 11 C.F.R. § 110.20(g).
20. Commission regulations additionally provide that “[n]o person shall knowingly provide substantial assistance in the solicitation [or] making . . . of a contribution or donation” prohibited under this section. *Id.* § 110.20(h)(1).
21. The Commission by regulation has defined “agent,” in the case of agents of a candidate, to include “any person who has actual authority, either express or implied, to . . . solicit, receive, direct, transfer, or spend funds in connection with any election.” 11 C.F.R. § 300.2(b)(3).

¹⁵ The “solicit” definition at 11 C.F.R. § 300.2(m) is the relevant definition for section 110.20. *See* 11 C.F.R. § 110.20(a)(6).

CAUSE OF ACTION

THE DEMOCRATIC NATIONAL COMMITTEE AND ALEXANDRA CHALUPA KNOWINGLY SOLICITED, ACCEPTED, AND RECEIVED CONTRIBUTIONS FROM A FOREIGN NATIONAL IN VIOLATION OF THE FEDERAL ELECTION CAMPAIGN ACT

22. Federal law and Commission regulations prohibit any person from knowingly soliciting, accepting, or receiving contributions or donations of money or other thing of value from a foreign national, 52 U.S.C. § 30121(a)(2); 11 C.F.R. § 110.20(g).
23. Alexandra Chalupa, an agent of the Democratic National Committee, violated the ban on knowingly soliciting a contribution from a foreign national when she “asked [Ukrainian] embassy staff to try to arrange an interview in which [President] Poroshenko might discuss Manafort’s ties to [former President] Yanukovich.”¹⁶ The purpose of requesting this meeting was to obtain a valuable in-kind contribution in the form of opposition research and information on a Trump campaign official from a foreign national on behalf of the Democratic National Committee.
24. Alexandra Chalupa sought this meeting “with the DNC’s encouragement.”¹⁷ Alexandra Chalupa was a paid “political consultant” for the Democratic National Committee at the time. Accordingly, Alexandra Chalupa was acting as an agent of the DNC when she “asked embassy staff to try to arrange an interview in which [President] Poroshenko might discuss Manafort’s ties to [former President] Yanukovich.”¹⁸ A principal is liable for the actions of its agent.

¹⁶ Kenneth P. Vogel and David Stern, *Ukrainian efforts to sabotage Trump backfire; Kiev officials are scrambling to make amends with the president-elect after quietly working to boost Clinton*, Politico, Jan. 11, 2017, <http://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>.

¹⁷ *Id.*

¹⁸ *Id.*; see also Rebekah Entralgo, *Donald Trump Jr. ’s legal problems; Soliciting information is just enough to get you in trouble*, ThinkProgress, July 11, 2017, <https://thinkprogress.org/donald-trump-jr->

25. While acting as an agent of the DNC, Alexandra Chalupa “traded information and leads” with foreign nationals at the Ukrainian Embassy. Any information received by Alexandra Chalupa, while acting as an agent of the DNC, from foreign nationals constitutes the receipt and acceptance of a prohibited contribution in the form of a “thing of value” from a foreign national on behalf of her principal, the Democratic National Committee.¹⁹ Alexandra Chalupa then delivered this information to the Democratic National Committee. Whether the DNC “incorporate[d] [Chalupa’s] findings in its dossiers on the subjects”²⁰ is irrelevant to the question of whether Chalupa and the DNC accepted or received a prohibited contribution from a foreign national.
26. The expenditure of funds for opposition research on a candidate that is provided to a political committee, or the use of which is coordinated with the political committee, meets the definition of a “contribution,” since it constitutes “anything of value...made for the purpose of influencing any election,” 52 U.S.C. § 30101(8)(A)(i), and amounts to the provision of goods or services without charge or at below market rate, 11 C.F.R. § 100.52(d)(1)(2).²¹ The definition of “contribution” is construed expansively

[potential-legal-jeopardy-f783fdab0107](#) (noting that Paul S. Ryan, Vice President of policy and litigation at Common Cause, explained “The point at which the violation occurred would have been any point at which [Alexandra Chalupa] indicated that [s]he was interested in receiving opposition research regarding [Donald Trump].”).

¹⁹ See David G. Savage, *Did Donald Trump Jr. by meeting with Russians to gain dirt on Clinton?*, Los Angeles Times, July 11, 2017, <http://www.latimes.com/politics/la-na-pol-trump-russians-legal-analysis-20170711-story.html> (noting that Paul S. Ryan of Common Cause explained that “giving a campaign opposition research that would damage the rival candidate clearly qualifies as something of value”).

²⁰ *Id.*

²¹ The Commission has consistently found that intangible “information” can be a “thing of value” that constitutes a contribution. For example, in Advisory Opinion 1990-12, the Commission found that information about poll results could constitute a “contribution,” even if the actual poll data was not provided to the campaign. Similarly, in MUR 5409, the Commission found that voter contact information constituted a “thing of value” that satisfied the contribution definition if provided to a campaign. The Commission also noted that in certain situations, it may be “difficult to ascertain a market value for unique goods,” but that “[t]he lack of a market, and thus the lack of a ‘usual and normal charge,’ however, does not necessarily equate to a lack of value.” *Id.* at 8, n. 12; *cf.* Advisory Opinion 2014-06

“in light of the broad scope of the prohibition on contributions from foreign nationals,” and encompasses the provision of anything of even “nominal” value from a foreign national. Advisory Opinion 2007-22. That definition is satisfied here: the Democratic National Committee and Alexandra Chalupa sought and received political opposition research from Ukrainian government officials, knowing that it would be of value to the Democratic National Committee and Hillary Clinton’s presidential campaign.

27. Alexandra Chalupa’s conduct satisfied the Commission’s definition of “to solicit” at 11 C.F.R. § 300.2(m). She specifically asked for a meeting with a foreign national for the purpose of obtaining information on Donald Trump’s campaign manager Paul Manafort that would be of value to the political committees on whose behalf she was acting.
28. Chalupa’s and the Democratic National Committee’s violation of the foreign national ban was without a doubt “knowing,” since both either “ha[d] actual knowledge that the source of funds solicited, accepted or received is a foreign national,” or were “aware of facts that would lead a reasonable person to conclude that there is a substantial probability that the source of the funds solicited, accepted or received is a foreign national.” 11 C.F.R. § 110.20(a)(ii); Advisory Opinion 2016-10 (Parker) at 3. “[W]ith the DNC’s encouragement,” Chalupa asked *foreign embassy staff* to arrange a meeting with a *foreign leader*. There can be no question that both were aware that something of value was being sought from a foreign national.
29. Therefore, based on published reports, there is reason to believe that the Democratic National Committee and Alexandra Chalupa knowingly solicited, accepted, and received

(Ryan) at 8 (“The Commission has long recognized that a political committee’s mailing lists are assets that have value and that are frequently sold, rented, or exchanged in a market.”).

contributions from a foreign national in violation of 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g).

PRAYER FOR RELIEF

30. Wherefore, the Commission should find reason to believe that the Democratic National Committee and Alexandra Chalupa violated 52 U.S.C. § 30101, et seq., including 52 U.S.C. § 30121, and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2). Further, the Commission should determine and impose appropriate sanctions for any and all violations, should enjoin respondents from any and all violations in the future, and should impose such additional remedies as are necessary and appropriate to ensure compliance with the FECA.

August 8, 2017

Respectfully submitted,

Foundation for Accountability & Civic Trust



By: Matthew G. Whitaker

Its: Executive Director

VERIFICATION

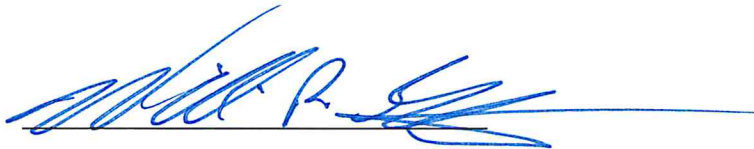
The complainant listed below hereby verifies that the statements made in the attached complaint are, upon information and belief, true. Sworn pursuant to 18 U.S.C. § 1001.

For Complainant Foundation for Accountability & Civic Trust

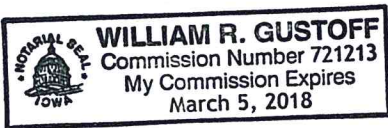


Matthew G. Whitaker

Sworn to and subscribed before me this 9th day of August 2017.



Notary Public



ATTACHMENT

Kenneth P. Vogel and David Stern, *Ukrainian efforts to sabotage Trump backfire; Kiev officials are scrambling to make amends with the president-elect after quietly working to boost Clinton*, Politico, Jan. 11, 2017, <http://www.politico.com/story/2017/01/ukraine-sabotage-trump-backfire-233446>.

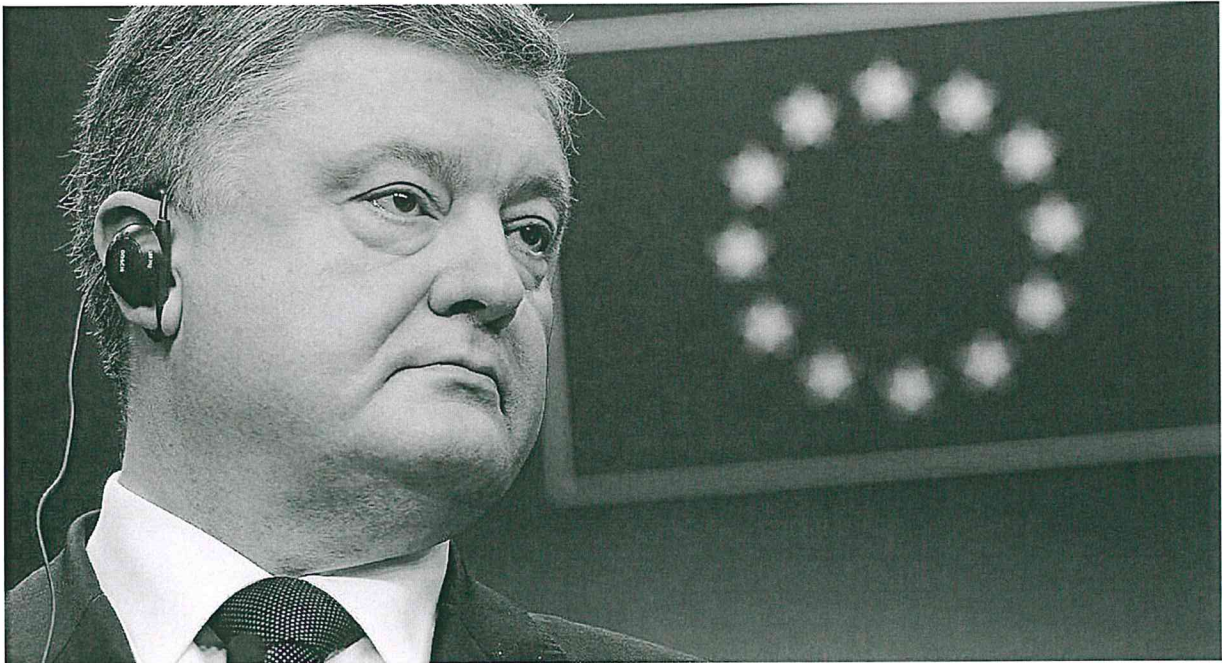
POLITICO

PRESIDENTIAL TRANSITION

Ukrainian efforts to sabotage Trump backfire

Kiev officials are scrambling to make amends with the president-elect after quietly working to boost Clinton.

By KENNETH P. VOGEL and DAVID STERN | 01/11/2017 05:05 AM EST



President Petro Poroshenko's administration, along with the Ukrainian Embassy in Washington, insists that Ukraine stayed neutral in the American presidential race. | Getty

Donald Trump wasn't the only presidential candidate whose campaign was boosted by officials of a former Soviet bloc country.

Ukrainian government officials tried to help Hillary Clinton and undermine Trump by publicly questioning his fitness for office. They also disseminated documents implicating a top Trump aide in corruption and suggested they were investigating the matter, only to back away after the election. And they helped Clinton's allies research damaging information on Trump and his advisers, a Politico investigation found.

A Ukrainian-American operative who was consulting for the Democratic National Committee met with top officials in the Ukrainian Embassy in Washington in an effort to expose ties between Trump, top campaign aide Paul Manafort and Russia, according to people with direct knowledge of the situation.

The Ukrainian efforts had an impact in the race, helping to force Manafort's resignation and advancing the narrative that Trump's campaign was deeply connected to Ukraine's foe to the east, Russia. But they were far less concerted or centrally directed than Russia's alleged hacking and dissemination of Democratic emails.

Russia's effort was personally directed by Russian President Vladimir Putin, involved the country's military and foreign intelligence services, according to U.S. intelligence officials. They reportedly briefed Trump last week on the possibility that Russian operatives might have compromising information on the president-elect. And at a Senate hearing last week on the hacking, Director of National Intelligence James Clapper said "I don't think we've ever encountered a more aggressive or direct campaign to interfere in our election process than we've seen in this case."

There's little evidence of such a top-down effort by Ukraine. Longtime observers suggest that the rampant corruption, factionalism and economic struggles plaguing the country — not to mention its ongoing strife with Russia — would render it unable to pull off an ambitious covert interference campaign in another country's election. And President Petro Poroshenko's administration, along with the Ukrainian Embassy in Washington, insists that Ukraine stayed neutral in the race.



CONGRESS

Lawmakers broach possible Trump campaign coordination with Russia

By AUSTIN WRIGHT and MARTIN MATISHAK

Yet Politico's investigation found evidence of Ukrainian government involvement in the race that appears to strain diplomatic protocol dictating that governments refrain from engaging in one another's elections.

Russia's meddling has sparked outrage from the American body politic. The U.S. intelligence community undertook the rare move of publicizing its findings on the matter, and President Barack Obama took several steps to officially retaliate, while members of Congress continue pushing for more investigations into the hacking and a harder line against Russia, which was already viewed in Washington as America's leading foreign adversary.

Ukraine, on the other hand, has traditionally enjoyed strong relations with U.S. administrations. Its officials worry that could change under Trump, whose team has privately expressed sentiments ranging from ambivalence to deep skepticism about Poroshenko's regime, while sounding unusually friendly notes about Putin's regime.

Poroshenko is scrambling to alter that dynamic, recently signing a \$50,000-a-month contract with a well-connected GOP-linked Washington lobbying firm to set up meetings with U.S. government officials "to strengthen U.S.-Ukrainian relations."

Revelations about Ukraine's anti-Trump efforts could further set back those efforts.

"Things seem to be going from bad to worse for Ukraine," said David A. Merkel, a senior fellow at the Atlantic Council who helped oversee U.S. relations with Russia and Ukraine while working in George W. Bush's State Department and National Security Council.

Merkel, who has served as an election observer in Ukrainian presidential elections dating back to 1993, noted there's some irony in Ukraine and Russia taking opposite sides in the 2016 presidential race, given that past Ukrainian elections were widely viewed in Washington's foreign policy community as proxy wars between the U.S. and Russia.

"Now, it seems that a U.S. election may have been seen as a surrogate battle by those in Kiev and Moscow," Merkel said.

...

The Ukrainian antipathy for Trump's team — and alignment with Clinton's — can be traced back to late 2013. That's when the country's president, Viktor Yanukovich, whom Manafort had been advising, abruptly backed out of a European Union pact linked to anti-corruption reforms. Instead, Yanukovich entered into a multibillion-dollar bailout agreement with Russia, sparking protests across Ukraine and prompting Yanukovich to flee the country to Russia under Putin's protection.

In the ensuing crisis, Russian troops moved into the Ukrainian territory of Crimea, and Manafort dropped off the radar.

Manafort's work for Yanukovich caught the attention of a veteran Democratic operative named Alexandra Chalupa, who had worked in the White House Office of Public Liaison during the Clinton administration. Chalupa went on to work as a staffer, then as a consultant, for Democratic National Committee. The DNC paid her \$412,000 from 2004 to June 2016, according to Federal Election Commission records, though she also was paid by

other clients during that time, including Democratic campaigns and the DNC's arm for engaging expatriate Democrats around the world.

A daughter of Ukrainian immigrants who maintains strong ties to the Ukrainian-American diaspora and the U.S. Embassy in Ukraine, Chalupa, a lawyer by training, in 2014 was doing pro bono work for another client interested in the Ukrainian crisis and began researching Manafort's role in Yanukovich's rise, as well as his ties to the pro-Russian oligarchs who funded Yanukovich's political party.

In an interview this month, Chalupa told Politico she had developed a network of sources in Kiev and Washington, including investigative journalists, government officials and private intelligence operatives. While her consulting work at the DNC this past election cycle centered on mobilizing ethnic communities — including Ukrainian-Americans — she said that, when Trump's unlikely presidential campaign began surging in late 2015, she began focusing more on the research, and expanded it to include Trump's ties to Russia, as well.

She occasionally shared her findings with officials from the DNC and Clinton's campaign, Chalupa said. In January 2016 — months before Manafort had taken any role in Trump's campaign — Chalupa told a senior DNC official that, when it came to Trump's campaign, "I felt there was a Russia connection," Chalupa recalled. "And that, if there was, that we can expect Paul Manafort to be involved in this election," said Chalupa, who at the time also was warning leaders in the Ukrainian-American community that Manafort was "Putin's political brain for manipulating U.S. foreign policy and elections."



PRESIDENTIAL TRANSITION

Trump confronts firestorm over Russia allegations

By ELI STOKOLS, SHANE GOLDMACHER, JOSH DAWSEY and MICHAEL CROWLEY

She said she shared her concern with Ukraine's ambassador to the U.S., Valeriy Chaly, and one of his top aides, Oksana Shulyar, during a March 2016 meeting at the Ukrainian Embassy. According to someone briefed on the meeting, Chaly said that Manafort was very much on his radar, but that he wasn't particularly concerned about the operative's ties to Trump since he didn't believe Trump stood much of a chance of winning the GOP nomination, let alone the presidency.

That was not an uncommon view at the time, and, perhaps as a result, Trump's ties to Russia — let alone Manafort's — were not the subject of much attention.

That all started to change just four days after Chalupa's meeting at the embassy, when it was reported that Trump had in fact hired Manafort, suggesting that Chalupa may have been on

to something. She quickly found herself in high demand. The day after Manafort's hiring was revealed, she briefed the DNC's communications staff on Manafort, Trump and their ties to Russia, according to an operative familiar with the situation.

A former DNC staffer described the exchange as an "informal conversation," saying "'briefing' makes it sound way too formal," and adding, "We were not directing or driving her work on this." Yet, the former DNC staffer and the operative familiar with the situation agreed that with the DNC's encouragement, Chalupa asked embassy staff to try to arrange an interview in which Poroshenko might discuss Manafort's ties to Yanukovich.

While the embassy declined that request, officials there became "helpful" in Chalupa's efforts, she said, explaining that she traded information and leads with them. "If I asked a question, they would provide guidance, or if there was someone I needed to follow up with." But she stressed, "There were no documents given, nothing like that."

Chalupa said the embassy also worked directly with reporters researching Trump, Manafort and Russia to point them in the right directions. She added, though, "they were being very protective and not speaking to the press as much as they should have. I think they were being careful because their situation was that they had to be very, very careful because they could not pick sides. It's a political issue, and they didn't want to get involved politically because they couldn't."

Shulyar vehemently denied working with reporters or with Chalupa on anything related to Trump or Manafort, explaining "we were stormed by many reporters to comment on this subject, but our clear and adamant position was not to give any comment [and] not to interfere into the campaign affairs."

Both Shulyar and Chalupa said the purpose of their initial meeting was to organize a June reception at the embassy to promote Ukraine. According to the embassy's website, the event highlighted female Ukrainian leaders, featuring speeches by Ukrainian parliamentarian Hanna Hopko, who discussed "Ukraine's fight against the Russian aggression in Donbas," and longtime Hillary Clinton confidante Melanne Verveer, who worked for Clinton in the State Department and was a vocal surrogate during the presidential campaign.

Shulyar said her work with Chalupa "didn't involve the campaign," and she specifically stressed that "We have never worked to research and disseminate damaging information about Donald Trump and Paul Manafort."

But Andrii Telizhenko, who worked as a political officer in the Ukrainian Embassy under Shulyar, said she instructed him to help Chalupa research connections between Trump, Manafort and Russia. "Oksana said that if I had any information, or knew other people who did, then I should contact Chalupa," recalled Telizhenko, who is now a political consultant in Kiev. "They were coordinating an investigation with the Hillary team on Paul Manafort with Alexandra Chalupa," he said, adding "Oksana was keeping it all quiet," but "the embassy worked very closely with" Chalupa.

In fact, sources familiar with the effort say that Shulyar specifically called Telizhenko into a meeting with Chalupa to provide an update on an American media outlet's ongoing investigation into Manafort.

Telizhenko recalled that Chalupa told him and Shulyar that, "If we can get enough information on Paul [Manafort] or Trump's involvement with Russia, she can get a hearing in Congress by September."

Chalupa confirmed that, a week after Manafort's hiring was announced, she discussed the possibility of a congressional investigation with a foreign policy legislative assistant in the office of Rep. Marcy Kaptur (D-Ohio), who co-chairs the Congressional Ukrainian Caucus. But, Chalupa said, "It didn't go anywhere."

Asked about the effort, the Kaptur legislative assistant called it a "touchy subject" in an internal email to colleagues that was accidentally forwarded to Politico.

Kaptur's office later emailed an official statement explaining that the lawmaker is backing a bill to create an independent commission to investigate "possible outside interference in our elections." The office added "at this time, the evidence related to this matter points to Russia, but Congresswoman Kaptur is concerned with any evidence of foreign entities interfering in our elections."

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Almost as quickly as Chalupa's efforts attracted the attention of the Ukrainian Embassy and Democrats, she also found herself the subject of some unwanted attention from overseas.

Within a few weeks of her initial meeting at the embassy with Shulyar and Chalupa, Chalupa on April 20 received the first of what became a series of messages from the administrators of her private Yahoo email account, warning her that "state-sponsored actors" were trying to hack into her emails.

She kept up her crusade, appearing on a panel a week after the initial hacking message to discuss her research on Manafort with a group of Ukrainian investigative journalists gathered at the Library of Congress for a program sponsored by a U.S. congressional agency called the Open World Leadership Center.

Center spokeswoman Maura Shelden stressed that her group is nonpartisan and ensures “that our delegations hear from both sides of the aisle, receiving bipartisan information.” She said the Ukrainian journalists in subsequent days met with Republican officials in North Carolina and elsewhere. And she said that, before the Library of Congress event, “Open World’s program manager for Ukraine did contact Chalupa to advise her that Open World is a nonpartisan agency of the Congress.”

Chalupa, though, indicated in an email that was later hacked and released by WikiLeaks that the Open World Leadership Center “put me on the program to speak specifically about Paul Manafort.”



Republicans pile on Russia for hacking, get details on GOP targets

By MARTIN MATISHAK and AUSTIN WRIGHT

In the email, which was sent in early May to then-DNC communications director Luis Miranda, Chalupa noted that she had extended an invitation to the Library of Congress forum to veteran Washington investigative reporter Michael Isikoff. Two days before the event, he had published a story for Yahoo News revealing the unraveling of a \$26 million deal between Manafort and a Russian oligarch related to a telecommunications venture in Ukraine. And Chalupa wrote in the email she’d been “working with for the past few weeks” with Isikoff “and connected him to the Ukrainians” at the event.

Isikoff, who accompanied Chalupa to a reception at the Ukrainian Embassy immediately after the Library of Congress event, declined to comment.

Chalupa further indicated in her hacked May email to the DNC that she had additional sensitive information about Manafort that she intended to share “offline” with Miranda and DNC research director Lauren Dillon, including “a big Trump component you and Lauren need to be aware of that will hit in next few weeks and something I’m working on you should be aware of.” Explaining that she didn’t feel comfortable sharing the intel over email, Chalupa attached a screenshot of a warning from Yahoo administrators about “state-sponsored” hacking on her account, explaining, “Since I started digging into Manafort

these messages have been a daily occurrence on my yahoo account despite changing my password often.”

Dillon and Miranda declined to comment.

A DNC official stressed that Chalupa was a consultant paid to do outreach for the party’s political department, not a researcher. She undertook her investigations into Trump, Manafort and Russia on her own, and the party did not incorporate her findings in its dossiers on the subjects, the official said, stressing that the DNC had been building robust research books on Trump and his ties to Russia long before Chalupa began sounding alarms.

Nonetheless, Chalupa’s hacked email reportedly escalated concerns among top party officials, hardening their conclusion that Russia likely was behind the cyber intrusions with which the party was only then beginning to grapple.

Chalupa left the DNC after the Democratic convention in late July to focus fulltime on her research into Manafort, Trump and Russia. She said she provided off-the-record information and guidance to “a lot of journalists” working on stories related to Manafort and Trump’s Russia connections, despite what she described as escalating harassment.

About a month-and-a-half after Chalupa first started receiving hacking alerts, someone broke into her car outside the Northwest Washington home where she lives with her husband and three young daughters, she said. They “rampaged it, basically, but didn’t take anything valuable — left money, sunglasses, \$1,200 worth of golf clubs,” she said, explaining she didn’t file a police report after that incident because she didn’t connect it to her research and the hacking.

But by the time a similar vehicle break-in occurred involving two family cars, she was convinced that it was a Russia-linked intimidation campaign. The police report on the latter break-in noted that “both vehicles were unlocked by an unknown person and the interior was ransacked, with papers and the garage openers scattered throughout the cars. Nothing was taken from the vehicles.”

Then, early in the morning on another day, a woman “wearing white flowers in her hair” tried to break into her family’s home at 1:30 a.m., Chalupa said. Shulyar told Chalupa that the mysterious incident bore some of the hallmarks of intimidation campaigns used against foreigners in Russia, according to Chalupa.

“This is something that they do to U.S. diplomats, they do it to Ukrainians. Like, this is how they operate. They break into people’s homes. They harass people. They’re theatrical about it,” Chalupa said. “They must have seen when I was writing to the DNC staff, outlining who Manafort was, pulling articles, saying why it was significant, and painting the bigger picture.”

In a Yahoo News story naming Chalupa as one of 16 “ordinary people” who “shaped the 2016 election,” Isikoff wrote that after Chalupa left the DNC, FBI agents investigating the hacking questioned her and examined her laptop and smartphone.

Chalupa this month told Politico that, as her research and role in the election started becoming more public, she began receiving death threats, along with continued alerts of state-sponsored hacking. But she said, “None of this has scared me off.”

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While it’s not uncommon for outside operatives to serve as intermediaries between governments and reporters, one of the more damaging Russia-related stories for the Trump campaign — and certainly for Manafort — can be traced more directly to the Ukrainian government.

Documents released by an independent Ukrainian government agency — and publicized by a parliamentarian — appeared to show \$12.7 million in cash payments that were earmarked for Manafort by the Russia-aligned party of the deposed former president, Yanukovich.

The New York Times, in the August story revealing the ledgers’ existence, reported that the payments earmarked for Manafort were “a focus” of an investigation by Ukrainian anti-corruption officials, while CNN reported days later that the FBI was pursuing an overlapping inquiry.



One of the most damaging Russia-related stories during Donald Trump's campaign can be traced to the Ukrainian government. | AP Photo

Clinton's campaign seized on the story to advance Democrats' argument that Trump's campaign was closely linked to Russia. The ledger represented "more troubling connections between Donald Trump's team and pro-Kremlin elements in Ukraine," Robby Mook, Clinton's campaign manager, said in a statement. He demanded that Trump "disclose campaign chair Paul Manafort's and all other campaign employees' and advisers' ties to Russian or pro-Kremlin entities, including whether any of Trump's employees or advisers are currently representing and or being paid by them."

A former Ukrainian investigative journalist and current parliamentarian named Serhiy Leshchenko, who was elected in 2014 as part of Poroshenko's party, held a news conference to highlight the ledgers, and to urge Ukrainian and American law enforcement to aggressively investigate Manafort.

"I believe and understand the basis of these payments are totally against the law — we have the proof from these books," Leshchenko said during the news conference, which attracted international media coverage. "If Mr. Manafort denies any allegations, I think he has to be interrogated into this case and prove his position that he was not involved in any misconduct on the territory of Ukraine," Leshchenko added.

Manafort denied receiving any off-books cash from Yanukovich's Party of Regions, and said that he had never been contacted about the ledger by Ukrainian or American investigators,

later telling POLITICO “I was just caught in the crossfire.”

According to a series of memos reportedly compiled for Trump’s opponents by a former British intelligence agent, Yanukovych, in a secret meeting with Putin on the day after the *Times* published its report, admitted that he had authorized “substantial kickback payments to Manafort.” But according to the report, which was published Tuesday by BuzzFeed but remains unverified. Yanukovych assured Putin “that there was no documentary trail left behind which could provide clear evidence of this” — an alleged statement that seemed to implicitly question the authenticity of the ledger.



2016

Inside the fall of Paul Manafort

By KENNETH P. VOGEL and MARC CAPUTO

The scrutiny around the ledgers — combined with that from other stories about his Ukraine work — proved too much, and he stepped down from the Trump campaign less than a week after the *Times* story.

At the time, Leshchenko suggested that his motivation was partly to undermine Trump. “For me, it was important to show not only the corruption aspect, but that he is [a] pro-Russian candidate who can break the geopolitical balance in the world,” Leshchenko told the *Financial Times* about two weeks after his news conference. The newspaper noted that Trump’s candidacy had spurred “Kiev’s wider political leadership to do something they would never have attempted before: intervene, however indirectly, in a U.S. election,” and the story quoted Leshchenko asserting that the majority of Ukraine’s politicians are “on Hillary Clinton’s side.”

But by this month, Leshchenko was seeking to recast his motivation, telling Politico, “I didn’t care who won the U.S. elections. This was a decision for the American voters to decide.” His goal in highlighting the ledgers, he said was “to raise these issues on a political level and emphasize the importance of the investigation.”

In a series of answers provided to Politico, a spokesman for Poroshenko distanced his administration from both Leshchenko’s efforts and those of the agency that reLeshchenko Leshchenko leased the ledgers, The National Anti-Corruption Bureau of Ukraine. It was created in 2014 as a condition for Ukraine to receive aid from the U.S. and the European Union, and it signed an evidence-sharing agreement with the FBI in late June — less than a month and a half before it released the ledgers.

The bureau is “fully independent,” the Poroshenko spokesman said, adding that when it came to the presidential administration there was “no targeted action against Manafort.” He added “as to Serhiy Leshchenko, he positions himself as a representative of internal opposition in the Bloc of Petro Poroshenko’s faction, despite [the fact that] he belongs to the faction,” the spokesman said, adding, “it was about him personally who pushed [the anti-corruption bureau] to proceed with investigation on Manafort.”

But an operative who has worked extensively in Ukraine, including as an adviser to Poroshenko, said it was highly unlikely that either Leshchenko or the anti-corruption bureau would have pushed the issue without at least tacit approval from Poroshenko or his closest allies.

“It was something that Poroshenko was probably aware of and could have stopped if he wanted to,” said the operative.

And, almost immediately after Trump’s stunning victory over Clinton, questions began mounting about the investigations into the ledgers — and the ledgers themselves.

An official with the anti-corruption bureau told a Ukrainian newspaper, “Mr. Manafort does not have a role in this case.”

And, while the anti-corruption bureau told Politico late last month that a “general investigation [is] still ongoing” of the ledger, it said Manafort is not a target of the investigation. “As he is not the Ukrainian citizen, [the anti-corruption bureau] by the law couldn’t investigate him personally,” the bureau said in a statement.

Some Poroshenko critics have gone further, suggesting that the bureau is backing away from investigating because the ledgers might have been doctored or even forged.

Valentyn Nalyvaichenko, a Ukrainian former diplomat who served as the country’s head of security under Poroshenko but is now affiliated with a leading opponent of Poroshenko, said it was fishy that “only one part of the black ledger appeared.” He asked, “Where is the handwriting analysis?” and said it was “crazy” to announce an investigation based on the ledgers. He met last month in Washington with Trump allies, and said, “of course they all recognize that our [anti-corruption bureau] intervened in the presidential campaign.”

And in an interview this week, Manafort, who re-emerged as an informal advisor to Trump after Election Day, suggested that the ledgers were inauthentic and called their publication “a politically motivated false attack on me. My role as a paid consultant was public. There was nothing off the books, but the way that this was presented tried to make it look shady.”

He added that he felt particularly wronged by efforts to cast his work in Ukraine as pro-Russian, arguing “all my efforts were focused on helping Ukraine move into Europe and the West.” He specifically cited his work on denuclearizing the country and on the European Union trade and political pact that Yanukovich spurned before fleeing to Russia. “In no case was I ever involved in anything that would be contrary to U.S. interests,” Manafort said.

Yet Russia seemed to come to the defense of Manafort and Trump last month, when a spokeswoman for Russia’s Foreign Ministry charged that the Ukrainian government used the ledgers as a political weapon.

“Ukraine seriously complicated the work of Trump’s election campaign headquarters by planting information according to which Paul Manafort, Trump’s campaign chairman, allegedly accepted money from Ukrainian oligarchs,” Maria Zakharova said at a news briefing, according to a transcript of her remarks posted on the Foreign Ministry’s website. “All of you have heard this remarkable story,” she told assembled reporters.

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Beyond any efforts to sabotage Trump, Ukrainian officials didn’t exactly extend a hand of friendship to the GOP nominee during the campaign.

The ambassador, Chaly, penned an op-ed for The Hill, in which he chastised Trump for a confusing series of statements in which the GOP candidate at one point expressed a willingness to consider recognizing Russia’s annexation of the Ukrainian territory of Crimea as legitimate. The op-ed made some in the embassy uneasy, sources said.

“That was like too close for comfort, even for them,” said Chalupa. “That was something that was as risky as they were going to be.”

Former Ukrainian Prime Minister Arseny Yatseniuk warned on Facebook that Trump had “challenged the very values of the free world.”

Ukraine’s minister of internal affairs, Arsen Avakov, piled on, trashing Trump on Twitter in July as a “clown” and asserting that Trump is “an even bigger danger to the US than terrorism.”

Avakov, in a Facebook post, lashed out at Trump for his confusing Crimea comments, calling the assessment the “diagnosis of a dangerous misfit,” according to a translated screenshot featured in one media report, though he later deleted the post. He called Trump “dangerous for Ukraine and the US” and noted that Manafort worked with Yanukovich

when the former Ukrainian leader “fled to Russia through Crimea. Where would Manafort lead Trump?”



INVESTIGATIONS

Manafort's man in Kiev

By KENNETH P. VOGEL

The Trump-Ukraine relationship grew even more fraught in September with reports that the GOP nominee had snubbed Poroshenko on the sidelines of the United Nations General Assembly in New York, where the Ukrainian president tried to meet both major party candidates, but scored only a meeting with Clinton.

Telizhenko, the former embassy staffer, said that, during the primaries, Chaly, the country's ambassador in Washington, had actually instructed the embassy not to reach out to Trump's campaign, even as it was engaging with those of Clinton and Trump's leading GOP rival, Ted Cruz.

“We had an order not to talk to the Trump team, because he was critical of Ukraine and the government and his critical position on Crimea and the conflict,” said Telizhenko. “I was yelled at when I proposed to talk to Trump,” he said, adding, “The ambassador said not to get involved — Hillary is going to win.”

This account was confirmed by Nalyvaichenko, the former diplomat and security chief now affiliated with a Poroshenko opponent, who said, “The Ukrainian authorities closed all doors and windows — this is from the Ukrainian side.” He called the strategy “bad and short-sighted.”

Andriy Artemenko, a Ukrainian parliamentarian associated with a conservative opposition party, did meet with Trump's team during the campaign and said he personally offered to set up similar meetings for Chaly but was rebuffed.

“It was clear that they were supporting Hillary Clinton's candidacy,” Artemenko said. “They did everything from organizing meetings with the Clinton team, to publicly supporting her, to criticizing Trump. ... I think that they simply didn't meet because they thought that Hillary would win.”

Shulyar rejected the characterizations that the embassy had a ban on interacting with Trump, instead explaining that it “had different diplomats assigned for dealing with different teams tailoring the content and messaging. So it was not an instruction to abstain

from the engagement but rather an internal discipline for diplomats not to get involved into a field she or he was not assigned to, but where another colleague was involved.”

And she pointed out that Chaly traveled to the GOP convention in Cleveland in late July and met with members of Trump’s foreign policy team “to highlight the importance of Ukraine and the support of it by the U.S.”

Despite the outreach, Trump’s campaign in Cleveland gutted a proposed amendment to the Republican Party platform that called for the U.S. to provide “lethal defensive weapons” for Ukraine to defend itself against Russian incursion, backers of the measure charged.

The outreach ramped up after Trump’s victory. Shulyar pointed out that Poroshenko was among the first foreign leaders to call to congratulate Trump. And she said that, since Election Day, Chaly has met with close Trump allies, including Sens. Jeff Sessions, Trump’s nominee for attorney general, and Bob Corker, the chairman of the Senate Foreign Relations Committee, while the ambassador accompanied Ivanna Klymush-Tsintsadze, Ukraine’s vice prime minister for European and Euro-Atlantic integration, to a round of Washington meetings with Rep. Tom Marino (R-Pa.), an early Trump backer, and Jim DeMint, president of The Heritage Foundation, which played a prominent role in Trump’s transition.

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Many Ukrainian officials and operatives and their American allies see Trump’s inauguration this month as an existential threat to the country, made worse, they admit, by the dissemination of the secret ledger, the antagonistic social media posts and the perception that the embassy meddled against — or at least shut out — Trump.

“It’s really bad. The [Poroshenko] administration right now is trying to re-coordinate communications,” said Telizhenko, adding, “The Trump organization doesn’t want to talk to our administration at all.”

During Nalyvaichenko’s trip to Washington last month, he detected lingering ill will toward Ukraine from some, and lack of interest from others, he recalled. “Ukraine is not on the top of the list, not even the middle,” he said.

Poroshenko’s allies are scrambling to figure out how to build a relationship with Trump, who is known for harboring and prosecuting grudges for years.

A delegation of Ukrainian parliamentarians allied with Poroshenko last month traveled to Washington partly to try to make inroads with the Trump transition team, but they were unable to secure a meeting, according to a Washington foreign policy operative familiar with the trip. And operatives in Washington and Kiev say that after the election, Poroshenko met in Kiev with top executives from the Washington lobbying firm BGR — including Ed Rogers and Lester Munson — about how to navigate the Trump regime.

Ukrainians fall out of love with Europe

By DAVID STERN

Weeks later, BGR reported to the Department of Justice that the government of Ukraine would pay the firm \$50,000 a month to “provide strategic public relations and government affairs counsel,” including “outreach to U.S. government officials, non-government organizations, members of the media and other individuals.”

Firm spokesman Jeffrey Birnbaum suggested that “pro-Putin oligarchs” were already trying to sow doubts about BGR’s work with Poroshenko. While the firm maintains close relationships with GOP congressional leaders, several of its principals were dismissive or sharply critical of Trump during the GOP primary, which could limit their effectiveness lobbying the new administration.

The Poroshenko regime’s standing with Trump is considered so dire that the president’s allies after the election actually reached out to make amends with — and even seek assistance from — Manafort, according to two operatives familiar with Ukraine’s efforts to make inroads with Trump.

Meanwhile, Poroshenko’s rivals are seeking to capitalize on his dicey relationship with Trump’s team. Some are pressuring him to replace Chaly, a close ally of Poroshenko’s who is being blamed by critics in Kiev and Washington for implementing — if not engineering — the country’s anti-Trump efforts, according to Ukrainian and U.S. politicians and operatives interviewed for this story. They say that several potential Poroshenko opponents have been through Washington since the election seeking audiences of their own with Trump allies, though most have failed to do so.

“None of the Ukrainians have any access to Trump — they are all desperate to get it, and are willing to pay big for it,” said one American consultant whose company recently met in Washington with Yuriy Boyko, a former vice prime minister under Yanukovich. Boyko, who like Yanukovich has a pro-Russian worldview, is considering a presidential campaign

of his own, and his representatives offered “to pay a shit-ton of money” to get access to Trump and his inaugural events, according to the consultant.

The consultant turned down the work, explaining, “It sounded shady, and we don’t want to get in the middle of that kind of stuff.”