



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C.

OFFICE OF FOREIGN ASSETS CONTROL

(U) Case ID: ELECTION-EO13848-19230

(U) **EVIDENTIARY MEMORANDUM**

(U) MEMORANDUM FOR:

[REDACTED]
Director
Office of Foreign Assets Control

(U) THROUGH:

[REDACTED]
Associate Director
Office of Global Targeting

[REDACTED]
Acting Deputy Associate Director
Office of Global Targeting

[REDACTED]
Assistant Director
Office of Global Targeting

(U) FROM:

[REDACTED]
Section Chief
Cyber Section

[REDACTED]
Sanctions Investigator
Human Rights and Anti-Corruption Section

(U) SUBJECT:

**ANDRII TELIZHENKO and OLEKSANDR
ONYSHCHENKO:** Designations Pursuant to Executive
Order 13848 of September 12, 2018, "Imposing Certain
Sanctions in the Event of Foreign Interference in a United
States Election."

I. (U) INTRODUCTION

(U) On September 12, 2018, the President issued Executive Order (E.O.) 13848, "Imposing Certain Sanctions in the Event of Foreign Interference in a United States Election." [Exhibit 1]

(U) Section 2 of E.O. 13848 (the "Order") blocks all property and interests in property of any person determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General, and the Secretary of Homeland Security to meet one or more of the criteria of Section 2 of the Order.

(U) Information presented in this memorandum and the accompanying exhibits provides reason to believe that **ANDRII TELIZHENKO** and **OLEKSANDR ONYSHCHENKO** are foreign persons that have directly or indirectly engaged in, sponsored, concealed, or otherwise been complicit in foreign interference¹ in a United States election therefore should be added to the list of Specially Designated Nationals and Blocked Persons.²

II. (U) IDENTIFYING INFORMATION

1. (U) **Name: ANDRII TELIZHENKO** (Individual) [Exhibit 19, p. 1]
(U) AKA: Andriy Telizhenko [Exhibit 3, p. 2]
[REDACTED] AKA: Andrii Grygorovych Telizhenko [Exhibit 13, p. 1]
(U) Nationality: Ukraine [Exhibit 13, p. 1]
[REDACTED] Place of Birth: Kyiv, Ukraine [Exhibit 13, p. 1]
[REDACTED] Date of Birth: [REDACTED] [Exhibit 13, p. 1]
[REDACTED] Gender: Male [Exhibit 13, p. 1]
[REDACTED] Passport Number: [REDACTED] (Ukraine) (Issued on [REDACTED]
Expires on [REDACTED]) [Exhibit 21, p. 1]
[REDACTED] Alternate Passport Number: [REDACTED] (Ukraine) ([REDACTED]
[REDACTED]) [Exhibit 22, p. 1]
[REDACTED] National Identification Number: [REDACTED] (Ukraine) [Exhibit 21, p. 1]
[REDACTED] Address: [REDACTED] Kyiv, [REDACTED] Ukraine
[Exhibit 21, p. 1]
[REDACTED] Address: [REDACTED], Kyiv, [REDACTED] Ukraine
[Exhibit 22, p. 1]
2. (U) **Name: OLEKSANDR ONYSHCHENKO** (Individual) [Exhibit 15, p. 1]
(U) AKA: Oleksandr Kadyrov [Exhibit 15, p. 2]
[REDACTED] AKA: [REDACTED] [Exhibit 23, p. 1]
[REDACTED] AKA: [REDACTED] [Exhibit 23, p. 1]
[REDACTED] AKA: [REDACTED] [Exhibit 24, p. 1]

¹ (U) Pursuant to section 8(f) of E.O. 13848, the term "foreign interference," with respect to an election, includes any covert, fraudulent, deceptive, or unlawful actions or attempted actions of a foreign government, or of any person acting as an agent of or on behalf of a foreign government, undertaken with the purpose or effect of influencing, undermining confidence in, or altering the result or reported result of, the election, or undermining public confidence in election processes or institutions. Pursuant to section 8(h) of E.O. 13848, the term "covert," with respect to an action or attempted action, means characterized by an intent or apparent intent that the role of a foreign government will not be apparent or acknowledged publicly. [Exhibit 1, p. 4]

² (U) The names of the proposed targets will appear in **BOLD CAPITAL** letters throughout this memorandum, and an asterisk (*) following a name in All CAPS denotes an individual or entity whose property and interests in property have been blocked. Individuals proposed for simultaneous designation pursuant to E.O. 13848 will be in **Bold Sentence Case**.

[REDACTED] AKA: [REDACTED] [Exhibit 25, p. 1]
[REDACTED] AKA: [REDACTED] [Exhibit 26, p. 1]
[REDACTED] AKA: [REDACTED] [Exhibit 27, p. 1]
(U) Citizenship: Ukraine [Exhibit 16, p. 1]
[REDACTED] Nationality: Ukraine [Exhibit 23, p. 1]
[REDACTED] Place of Birth: Russia [Exhibit 16, p. 1]
(U) Date of Birth: [REDACTED] [Exhibit 15, p. 1]
(U) Gender: Male [Exhibit 15, p. 1]
[REDACTED] Passport Number: [REDACTED] (Ukraine) (Expires on [REDACTED])
[Exhibit 29, p. 1]
[REDACTED] Alternate Passport Number: [REDACTED] (Ukraine) (Issued on [REDACTED]
Expires on [REDACTED]) [Exhibit 28, p. 1]
[REDACTED] National Identification Number: [REDACTED] (Ukraine) [Exhibit 26, p. 1]
[REDACTED] Address: [REDACTED] Kyiv, Ukraine [Exhibit 28, p. 1]
[REDACTED] Address: [REDACTED] KIEV [REDACTED], Ukraine
[Exhibit 26, p. 1]
(U) Location: Germany [Exhibit 3, pp. 9, 18; Exhibit 12, p. 3]

III. (U) BACKGROUND

(U) According to a September 10, 2020 U.S. Department of the Treasury press release, ANDRII DERKACH*¹ has directly or indirectly engaged in, sponsored, concealed, or otherwise been complicit in foreign interference in an attempt to undermine the upcoming 2020 U.S. presidential election. From at least late 2019 through mid-2020, DERKACH* waged a covert influence campaign centered on cultivating false and unsubstantiated narratives concerning U.S. officials in the upcoming 2020 U.S. presidential election, spurring corruption investigations in both Ukraine and the United States designed to culminate prior to election day. DERKACH*'s unsubstantiated narratives were pushed in Western media through coverage of press conferences and other news events, including interviews and statements. Between May and July 2020, DERKACH* released edited audio tapes and other unsupported information with the intent to discredit U.S. officials and levied unsubstantiated claims against U.S. and international political figures. DERKACH* almost certainly targeted the U.S. voting populace, prominent U.S. persons, and members of the U.S. Government since he relied on U.S. platforms, English-language documents and videos, and pro-Russian lobbyists in the U.S. used to propagate his claims. [Exhibit 2, pp. 1-2]

(U) According to a July 24, 2020 *BuzzFeed*⁴ article, for three years **ANDRII TELIZHENKO (TELIZHENKO)** has worked to help U.S. President Donald Trump (Trump) get reelected by exposing, what **TELIZHENKO** perceives to be, the corrupt actions of former U.S. Vice

¹ (U) DERKACH* was designated by OFAC September 10, 2020, pursuant to E.O. 13848. [Exhibit 14, p. 2-4]

⁴ (U) According to Media Bias Fact Check, *BuzzFeed* is rated left-centered biased due to story selection that tends to favor the left and mixed for factual reporting based on poor sourcing and a few failed fact checks. These media sources have a slight to moderate liberal bias. They often publish factual information that utilizes loaded words (wording that attempts to influence an audience by using appeal to emotion or stereotypes) to favor liberal causes. These sources are generally trustworthy for information, but may require further investigation. [Exhibit 10, p. 1]

President Joe Biden⁵ and his son, Hunter Biden, in Ukraine. **TELIZHENKO** is part of a group of Ukrainian operatives hoping to help U.S. congressional Republicans surface damaging details about the Biden family. The Ukrainian operatives all have ties to Russia and include: **TELIZHENKO**, **DERKACH***, **Kostyantyn Kulyk (Kulyk)**,⁶ and **OLEKSANDR ONYSHCHENKO (ONYSHCHENKO)**. Furthermore, **ONYSHCHENKO** states that **TELIZHENKO**, **DERKACH***, **Kulyk**, and himself comprise "Team Giuliani".⁷ [Exhibit 3, pp. 2-6, 9]

As described above and throughout this evidentiary, there is reason to believe that **TELIZHENKO** and **ONYSHCHENKO** as members of "Team Giuliani," with **DERKACH***, attempted to interfere in the 2020 U.S. Presidential Election by gathering information and publicizing damaging materials about a presidential candidate.

IV. (U) BASES FOR DETERMINATIONS

1. (U) **ANDRII TELIZHENKO (Individual) (TELIZHENKO)**

a. (U) **TELIZHENKO** is a foreign person that has directly or indirectly engaged in, sponsored, concealed, or otherwise been complicit in foreign interference in a United States election.

(U) **TELIZHENKO** is a foreign person.

According to [REDACTED], **TELIZHENKO** possessed and currently possesses a Ukrainian passport. In addition, [REDACTED]. [Exhibits 13; 16; 21; 22] According to the abovementioned July 24, 2020 *Buzzfeed* article, **TELIZHENKO** is identified as a former Ukrainian diplomat. [Exhibit 3, p. 2] Based on **TELIZHENKO**'s numerous Ukraine issued passports, his former status as a Ukrainian diplomat, and a lack of any past or presence status as a U.S. person, OFAC has reason to believe that **TELIZHENKO** is a foreign person.

(U) **TELIZHENKO** has directly or indirectly engaged in, sponsored, concealed, or otherwise been complicit in foreign interference in a United States election.

According to a July 7, 2020 Federal Bureau of Investigations (FBI) report, derived from an established source with indirect access, some of whose reporting has been corroborated over the past nine years and obtained the information from identified sub-sources, to include [REDACTED], as of June 2020, the Russian FEDERAL SECURITY

⁵ (U) On the date of this publication, Joe Biden was the democratic nominee for the 2020 U.S. presidential election. As of November 19, 2020, Joe Biden is the U.S. president-elect.

⁶ (U) **Kulyk** is proposed for concurrent designation in evidentiary memorandum ELECTION-EO13848-19139.

⁷ (U) The article describes Rudy Giuliani (Giuliani) as an associate of **TELIZHENKO**. [Exhibit 3, p. 2] According to the Encyclopedia Britannica, Giuliani is an American lawyer and politician who served as mayor of New York City. [Exhibit 35, p. 1]

SERVICE* (FSB*)⁸ planned to use unidentified deep cover agents in Ukraine to conduct an "active measure operation." According to a source comment, the Russian "active measure operation" was aimed at fixing the results of the 2020 U.S. Presidential Election and was the most important Russian active measure operation this year. As a part of this operation, the Russian government, would pass compromising information collected by Russian intelligence, on an identified U.S. presidential candidate to DERKACH* and his team for them to make public during a press conference. The goal would be for an identified U.S. news organization to "act as a fan" and spread the information. [Exhibit 4, pp. 1-2] Given the information presented by **ONYSHCHENKO** in Exhibit 3 stating that **DERKACH***, **TELIZHENKO**, **Kulyk**, and **ONYSHCHENKO**, comprise "Team Giuliani," and that they have been working behind the scenes for months to release information to the public regarding corruption and the 2020 U.S. Presidential Election, OFAC assesses that the "team" referenced in this Exhibit as receiving information from the Russian government includes, at a minimum, **DERKACH***, **TELIZHENKO**, **Kulyk**, and **ONYSHCHENKO**.

(U) According to a November 12, 2020 FBI Letterhead Memorandum provided to OFAC during the course of routine information sharing, since at least late 2019, **DERKACH***, **TELIZHENKO**, and their associates have leveraged U.S. media, U.S.-based social media platforms, and influential U.S. persons to spread misleading or unsubstantiated allegations that current and former U.S. officials engaged in corruption, money laundering, and unlawful political influence in Ukraine, according to media reporting. Furthermore, former Ukrainian Government officials **TELIZHENKO**, **ONYSHCHENKO**, and **Kostyantyn Kulyk (Kulyk)**,⁹ have publicly appeared or affiliated themselves with **DERKACH*** through the coordinated dissemination and promotion of misleading or unsubstantiated allegations involving a U.S. political candidate. These three **DERKACH*** associates have made repeated public statement, and collaborated with each other or with **DERKACH*** himself, to advance narratives that U.S. government officials have engaged in corrupt dealings in Ukraine. These efforts and narratives are consistent with or in support of **DERKACH***'s objectives, as an agent of the Russian Government, to influence the 2020 U.S. presidential election. [Exhibit 9, p. 2]

(U) According to a July 24, 2020 *BuzzFeed* article, for three years **TELIZHENKO** has worked to help U.S. President Donald Trump (Trump) get reelected by exposing, what **TELIZHENKO** perceives to be, the corrupt actions of Joe Biden and his son, Hunter Biden, in Ukraine. **TELIZHENKO** is part of a group of Ukrainian operatives hoping to help Congressional Republicans surface damaging details about the Biden family. The Ukrainian operatives all have ties to Russia and include: **TELIZHENKO**, **DERKACH***, **Kulyk**, and **ONYSHCHENKO**. The Ukrainians told *BuzzFeed* they have been working behind the scenes for months. To date, three collections of recordings have been released to the public by **DERKACH***. These recordings purport to capture phone conversations between Biden and former Ukrainian President Petro Poroshenko (Poroshenko) while the two were in office. So far, the recording have done nothing to substantiate, let alone advance, the accusations from Trump, Giuliani, and Republicans of Biden corruption in Ukraine. According to the article, the Ukrainians hope to take American media by storm before November 2020. **ONYSHCHENKO** said three more

⁸ (U) The FSB* was included in the Annex to E.O. 13757 on December 28, 2016. [Exhibit 17, p. 4]

⁹ (U) **Kulyk** is proposed for concurrent designation in evidentiary memorandum ELECTION-EO13848-19139.

releases of recordings will come later this summer and in September, "closer to the election." **ONYSHCHENKO** said **DERKACH*** would again present them at press conferences. Furthermore, **ONYSHCHENKO** states that **TELIZHENKO**, **DERKACH***, **Kulyk**, and himself comprise "Team Giuliani." [Exhibit 3, pp. 2-6, 9] **DERKACH*** and **TELIZHENKO** secured the recordings separately from an "investigative journalist" they wouldn't identify (claiming the man did not want to release them himself out of fear of being attacked by Biden supporters). Additionally, **TELIZHENKO** said he obtained 96 pages of Ukrainian language transcripts he said were made by Poroshenko's office. [Exhibit 3, p. 14]

(U) According to the same July 24, 2020 *Buzzfeed* article, the *New York Times* reported that federal authorities shared concerns [with the United States Senate] that **TELIZHENKO** could be spreading Russian disinformation. [Exhibit 3, p. 15]

(U) According to a July 20, 2020 *The New York Times*¹⁰ article, FBI officials warned lawmakers in a brief that it had concerns that **TELIZHENKO** was a conduit for Russian disinformation about the Bidens and claims that Ukraine conspired to help Democrats in the 2016 election. After the briefing, lawmakers in both parties pressured [Senator Ron Johnson] to abandon a vote to subpoena **TELIZHENKO** in connection with the Senator's investigation into the Bidens, and [Senator Johnson] turned his attention to other possible sources of information. [Exhibit 31, p. 2].

(U) According to a September 23, 2020¹¹ United States Senate Committee on Homeland Security & Governmental Affairs Minority Staff Report, **TELIZHENKO** and **DERKACH*** each released leaks of alleged phone calls between former Vice President Biden and former Ukrainian President Poroshenko on May 19, 2020, apparently timed to influence a Committee vote the next day. **TELIZHENKO** aided **DERKACH***'s claims by translating them from Russian to make his disinformation accessible to an American audience. Every witness interviewed for this investigation testified that Vice President Biden did not alter United States foreign policy to benefit his son Hunter Biden, and that Hunter Biden's presence on the board of the Ukrainian gas company Burisma had no effect on U.S. foreign policy. [Exhibit 7, pp. 3-4] On September 23, 2020 the U.S. Senate Committees on Homeland Security & Governmental Affairs and Finance Majority Staff issued a report titled, "Hunter Biden, Burisma, and Corruption: the Impact on U.S. Government Policy and Related Concerns." The report states that only two senior government officials "raised concerns" to officials in Vice President Joe Biden's office about the perception of a conflict of interest. [Exhibit 6, p. 4] To the accusation that Vice President Biden's Ukraine foreign policy conduct was influenced by Hunter Biden and/or Burisma, OFAC assesses this was not proven by the Majority Report.

According to an August 2020 report on August 2020, **TELIZHENKO**

¹⁰ (U) According to Media Bias Fact Check, The *New York Times* is a left-center biased based on work and story selection that moderately favors the left, but highly factual and considered one of the most reliable sources for news information due to proper sourcing and well-respected journalists/editors. [Exhibit 32, p. 1]

¹¹ (U) Although there is no date on the report itself, Exhibit 5 is the press release regarding the aforementioned report. [Exhibit 5, p. 1]

[REDACTED] press articles on U.S. Senate investigations regarding Burisma and alleged Ukrainian interference in the 2016 U.S. elections. **TELIZHENKO** [REDACTED]

[REDACTED] [Exhibit 5 p. 1] Based on reporting in Exhibit 3 linking **TELIZHENKO** as a member of a Ukrainian team with **DERKACH*** that was acting to insert information into the media disparaging U.S. political figures. OFAC assesses that the activities in Exhibit 5 were undertaken by **TELIZHENKO** as a member of the Ukrainian team in furtherance to influence the 2020 U.S. elections.

(U) According to a September 11, 2020 *The Daily Beast*¹² article, **TELIZHENKO** has a history with **DERKACH*** of working with Giuliani on propagating debunked conspiracy theories about Ukraine's interference in the 2016 presidential election. Additionally, both **TELIZHENKO** along with **DERKACH*** were present for an interview with Giuliani for Giuliani's YouTube channel "Common Sense." **TELIZHENKO** admitted that he did a voiceover for the **DERKACH*** interview. [Exhibit 8, pp. 2-3].

(U) **EXCULPATORY INFORMATION**

(U) According to the aforementioned September 11, 2020 *The Daily Beast* article, Giuliani and **TELIZHENKO** have tried to distance themselves from **DERKACH***. **TELIZHENKO** told *The Daily Beast*, "I never liked **DERKACH***, never knew much about his background." and "The methods **DERKACH*** used-including leaking some recordings-caused harm for the team. The U.S. intelligence services must have found solid evidence about the background of that man. I am sure that everybody who knows **DERKACH*** is not surprised to hear about the sanctions." After publication, **TELIZHENKO** reached out to explain that when he said "team" he meant "the Trump administration and [its] team." [Exhibit 8, p. 2]

[REDACTED] OFAC assesses that **TELIZHENKO**'s comment to *The Daily Beast* regarding not being close to **DERKACH*** is false. Exhibit 5 [REDACTED]

[REDACTED] Also, Exhibits 3 and 8, reference **DERKACH*** and **TELIZHENKO** as team members of "Team Giuliani" and as having working together for a YouTube channel interview. Therefore, OFAC assesses that **TELIZHENKO** likely only issued this comment in reaction to the sanctions announcement and likely continues to have a relationship with **DERKACH*** and per the evidence above has directly or indirectly engaged in, sponsored, concealed, or otherwise been complicit in foreign interference in the 2020 United States election.

¹² (U) According to Media Bias Fact Check, *The Daily Beast* is rated left-biased based on story selection and editorial positions that favor the left. The Daily Beast is also rated mostly factual for reporting, rather than high due to a few failed fact checks. [Exhibit 11, p. 1]

2. (U) **OLEKSANDR ONYSHCHENKO (Individual) (ONYSHCHENKO)**

a. (U) **ONYSHCHENKO** is a foreign person that has directly or indirectly engaged in, sponsored, concealed, or otherwise been complicit in foreign interference in a United States election.

(U) **ONYSHCHENKO** is a foreign person.

(U) According to *Federation Equestre Internationale*,¹³ **ONYSHCHENKO** served as the president of the Equestrian Federation of Ukraine from 2002 to 2013; he also coached and captained the Ukraine team at the 2008 Olympic Games in Beijing. [Exhibit 15, p. 2]

[Exhibits 24; 25; 26; 27; 28; 29]

Given **ONYSHCHENKO**'s [REDACTED], his prominent role on two Ukrainian national sports teams, coupled with his former position with the Verkhovna Rada (Ukrainian Parliament) [Exhibit 28, p.1], OFAC has reason to believe that **ONYSHCHENKO** is a foreign person.

(U) **ONYSHCHENKO** has directly or indirectly engaged in, sponsored, concealed, or otherwise been complicit in foreign interference in a United States election.

[REDACTED] According to a July 7, 2020 FBI report, derived from an established source with indirect access, some of whose reporting has been corroborated over the past nine years and obtained the information from identified sub-sources, to include officials in the Ukrainian government, as of June 2020, the Russian FSB* planned to use unidentified deep cover agents in Ukraine to conduct an "active measure operation." According to a source comment, the Russian "active measure operation" was aimed at fixing the results of the 2020 U.S. Presidential Election and was the most important Russian active measure operation this year. As a part of this operation, the Russian government, would pass compromising information collected by Russian intelligence, on an identified U.S. presidential candidate to DERKACH* and his team for them to make public during a press conference. The goal would be for an identified US news organization to "act as a fan" and spread the information. [Exhibit 4, pp. 1-2] Given the information presented by **ONYSHCHENKO** in Exhibit 3 stating that **DERKACH***, **TELIZHENKO**, **Kulyk**, and **ONYSHCHENKO**, comprise "Team Giuliani," and that they have been working behind the scenes for months to release information to the public regarding corruption and the U.S. Presidential Election, OFAC assesses that the "team" referenced in this Exhibit as receiving information from the Russian government includes, at a minimum, **DERKACH***, **TELIZHENKO**, **Kulyk**, and **ONYSHCHENKO**.

¹³ (U) According to the International Horse Sport Confederation, the International Equestrian Federation (FEI), founded in 1921, is the international body governing equestrian sport recognized by the International Olympic Committee. [Exhibit 33, 3]

(U) According to a November 12, 2020 FBI Letterhead Memorandum provided to OFAC during the course of routine information sharing, since at least late 2019, DERKACH*, **TELIZHENKO**, and their associates have leveraged U.S. media, U.S.-based social media platforms, and influential U.S. persons to spread misleading or unsubstantiated allegations that current and former U.S. officials engaged in corruption, money laundering, and unlawful political influence in Ukraine, according to media reporting. Furthermore, former Ukrainian Government officials **TELIZHENKO**, **ONYSHCHENKO**, and **Konstantin Kulyk (Kulyk)**¹⁴ have publicly appeared or affiliated themselves with DERKACH* through the coordinated dissemination and promotion of misleading or unsubstantiated allegations involving a U.S. political candidate. These three DERKACH* associates have made repeated public statements, and collaborated with each other or with DERKACH* himself, to advance narratives that U.S. government officials have engaged in corrupt dealings in Ukraine. These efforts and narratives are consistent with or in support of DERKACH*'s objectives, as an agent of the Russian Government, to influence the 2020 U.S. presidential election. [Exhibit 9, p. 2]

(U) According to a July 24, 2020 *BuzzFeed* article, a group of Ukrainian operatives is hoping to help congressional Republicans surface damaging details about the Biden family. The Ukrainian operatives all have ties to Russia and include: **TELIZHENKO**, DERKACH*, **Kulyk**, and **ONYSHCHENKO**. The Ukrainians told *BuzzFeed* they have been working behind the scenes for months. To date, three collections of recordings have been released to the public by DERKACH*. These recordings purport to capture phone conversations between Biden and former Ukrainian President Petro Poroshenko (Poroshenko) while the two were in office. So far, the recordings have done nothing to substantiate, let alone advance, the accusations from Trump, Giuliani, and Republicans of Biden corruption in Ukraine. According to the article, the Ukrainians hope to take American media by storm before November. **ONYSHCHENKO** said three more releases of recordings will come later this summer and in September, "closer to the election." **ONYSHCHENKO** said DERKACH* would again present them at press conferences. Furthermore, **ONYSHCHENKO** states that **TELIZHENKO**, DERKACH*, **Kulyk**, and himself comprise "Team Giuliani." [Exhibit 3, pp. 2-6, 9]

(U) According to the same July 24, 2020 *BuzzFeed* article, **ONYSHCHENKO** told *BuzzFeed* that he was in possession of the recordings. Additionally he devotes much of his time coordinating with the Ukrainians how and when to release the Biden-Poroshenko recordings. "**ONYSHCHENKO** further stated that he was motivated to join forces with **TELIZHENKO**, DERKACH*, and **Kulyk** to get back at Biden and Poroshenko. [Exhibit 3, pp. 17-18]

(U) According to a May 30, 2020 *Sputnik News*¹⁵ article, **ONYSHCHENKO** admitted to *Sputnik* that he began secretly recording Poroshenko's telephone conversations, to include conversations between Poroshenko and Biden. **ONYSHCHENKO** passed the phone recordings to DERKACH* and DERKACH* subsequently released them to the public. **ONYSHCHENKO** further revealed that he is in possession of more recordings but as a result of the coronavirus, they are waiting to release them. **ONYSHCHENKO** stated that more tapes will be released in September, closer to the U.S. election. [Exhibit 12, pp. 2, 4-6]

¹⁴ (U) **Kulyk** is proposed for concurrent designation in evidentiary memorandum ELECTION-EO13848-19139.

¹⁵ (U) According to Media Bias Fact Check, *Sputnik* is a right biased media site. *Sputnik News* is rated questionable based on frequent promotion of conspiracies and pro-Russian propaganda. [Exhibit 18, p. 1]

(U) According to a July 1, 2020 *The Washington Post*¹⁶ article, **ONYSHCHENKO** confirmed to *The Washington Post* that the tapes that were released were his and they are a part of his "cache" that he has obtained from Poroshenko aides. Additionally, **ONYSHCHENKO** admittedly stated that he has been "waging a multiyear campaign against Poroshenko." Moreover, *The Washington Post* states that, while the recordings have received little attention in most mainstream U.S. news outlets, they are being heavily promoted by *One America News*,¹⁷ which has more than 700,000 followers on Facebook and 900,000 on Twitter. [Exhibit 20, pp. 3-4] OFAC assesses that **ONYSHCHENKO** purposely gave DERKACH* access to the recordings and talked to the media about said recordings to act as a fan to spread damaging materials about a presidential candidate.

(U) OFAC has reason to believe, through **ONYSHCHENKO**'s own admission in Exhibit 20 that the tapes which purportedly contain recordings of calls between Biden and Poroshenko originated from **ONYSHCHENKO**. OFAC further assesses through **ONYSHCHENKO**'s interviews with the media (Exhibits 3, 12, and 14) that the tapes which DERKACH* presented to the media in May 2020, were given by **ONYSHCHENKO** to DERKACH*.

(U) **CONCLUSION**

[REDACTED] As evidenced throughout this evidentiary, OFAC finds reason to believe that the covert, fraudulent, deceptive, or unlawful actions or attempted actions taken by **TELIZHENKO** and **ONYSHCHENKO** to gather information for and publicize materials in support of DERKACH* and the aforementioned FSB*-backed active measure operation aimed at influencing the 2020 U.S. presidential election, were undertaken with the purpose or effect of influencing, undermining confidence in, or altering the result or reported result of the 2020 U.S. presidential election.

¹⁶ (U) According to Media Bias Fact Check, *The Washington Post* is a left-center biased media site. They often publish factual information that uses loaded words (Wording that attempts to influence an audience by using appeal to emotion or stereotypes) to favor liberal causes. These sources are generally trustworthy for information, but may require further investigation. [Exhibit 34, p. 1]

¹⁷ (U) According to Media Bias Fact Check *One America News* is a far right biased media site. *One America News* is rated questionable based on lack of sourcing, promotion of conspiracy theories and propaganda. Furthermore, according to Media Bias Fact Check, *One America News* is not a credible news source. [Exhibit 30, p. 1]

(U) EXHIBIT LIST

- (U) Exhibit 1: Executive Order 13848 of September 12, 2015, "Imposing Certain Sanctions in the Event of Foreign Interference in a United States Election," 83 Fed. Reg. 46843 (September 14, 2018). (U)
- (U) Exhibit 2: Treasury, "Treasury Sanctions Russia-Linked Election Interference Actors," dated September 10, 2020, available at <https://home.treasury.gov/news/press-releases/sm1118>. (U)
- (U) Exhibit 3: *BuzzFeed*, "Ukrainian operatives are gearing up again to take on the Bidens. They say they have Giuliani and Republicans on their side," dated July 24, 2020, available at <https://www.buzzfeednews.com/article/chritoherm51/rudy-giuliani-ukraine-joe-biden>. (U)
- (U/ [REDACTED]) Exhibit 4: [REDACTED]
- (U/ [REDACTED]) Exhibit 5: [REDACTED]
- (U) Exhibit 6: United States Senate Committee on Homeland Security & Governmental Affairs, Majority Staff Report, "Hunter Biden, Burisma, and Corruption: The Impact on U.S. Government Policy and Related Concerns," September 23, 2020. (U)
- (U) Exhibit 7: United States Senate Committee on Homeland Security & Governmental Affairs, Minority Staff Report, "Election Interference: Majority Investigation Amplifies Russian Attack on 2020 Election," September 23, 2020. (U)
- (U) Exhibit 8: *The Daily Beast*, "Rudy Giuliani and His Ukraine Ally Sprint Away from Their 'Russian Agent' Pal," dated September 11, 2020, available at <https://www.thedailybeast.com/rudy-and-his-ukraine-ally-sprint-away-from-their-russian-agent-pal>. (U)
- (U/ [REDACTED]) Exhibit 9: Federal Bureau of Investigation, Letterhead Memorandum [REDACTED], "Information regarding Andriy Telizhenko, Oleksandr Onyshchenko, and Konstantin Kulyk." Dated November 12, 2020. [REDACTED]

- (U) Exhibit 10: Media Bias Fact Check website, "*BuzzFeed*," accessed on August 25, 2020, available at <https://mediabiasfactcheck.com/buzzfeed/>. (U)
- (U) Exhibit 11: Media Bias Fact Check website, "*The Daily Beast*," accessed on August 25, 2020, available at <https://mediabiasfactcheck.com/daily-beast/>. (U)
- (U) Exhibit 12: *Sputnik News*. "Exclusive: Ex-Ukrainian President's Aide Opens Up on Biden Tapes, Democrats' Money Laundering", dated May 30, 2020, available at <https://sputniknews.com/world.202005301079467769-exclusive-ex-ukrainian-presidents-aide-opens-up-on-biden-tapes-democrats-money-laundering/>. (U)
- (U/████████) Exhibit 13: ██████████, 20 Oct 2009, ██████████
- (U) Exhibit 14: Federal Register Notice, "Notice of OFAC Sanctions Actions," 85 Fed. Reg. 57293 (September 15, 2020). (U)
- (U) Exhibit 15: *Federation Equestre Internationale* website, "Biographies," accessed on September 10, 2020, available at www.fei.org/bios/Person/10016030/Oleksandr_ONYSHCHENKO/1. (U)
- (U/████████) Exhibit 16: ██████████, 26 Nov 2019, ██████████
- (U) Exhibit 17: Executive Order 13757 of December 28, 2016, "Taking Additional Steps to Address the National Emergency With Respect to Significant Malicious Cyber-Enabled Activities," 82 Fed. Reg. 1 (December 30, 2016). (U)
- Exhibit 18: Media Bias Fact Check website, "*Sputnik News*," accessed on October 6, 2020, available at <https://mediabiasfactcheck.com/sputnik-news/>. (U)
- (U) Exhibit 19: *The Washington Post* website, "Trump administration revokes the visa of a Ukrainian political fixer tied to Giuliani," accessed on October 6, 2020, available at https://www.washingtonpost.com/national-security/trump-administration-revokes-the-visa-of-a-ukrainian-political-fixer-tied-to-giuliani/2020/10/05/69709bd0-05a4-11eb-a2db-417cddf4816a_story.html. (U)

- (U) Exhibit 20: *The Washington Post* website, "Hunt for Biden tapes in Ukraine by Trump allies revives prospect of foreign interference," accessed on September 18, 2020, available at https://www.washingtonpost.com/national-security/for-months-trump-allies-hunted-for-tapes-of-biden-in-ukraine-now-theyre-turning-up/2020/06/30/f3acaba8-a67b-11ea-8681-7d471bf20207_story.html. (U)
- (U/████████) Exhibit 21: ██████████, 24 Nov 2015. ██████████
- (U/████████) Exhibit 22: ██████████, 15 Feb 2017. ██████████
- (U/████████) Exhibit 23: ██████████, 07 Feb 1997. ██████████
- (U/████████) Exhibit 24: ██████████, 22 Dec 1998. ██████████
- (U/████████) Exhibit 25: ██████████, 11 Sep 1997. ██████████
- (U/████████) Exhibit 26: ██████████, 18 Apr 2007. ██████████
- (U/████████) Exhibit 27: ██████████, 06 Apr 1999. ██████████
- (U/████████) Exhibit 28: ██████████, 10 Dec 2013. ██████████
- (U/████████) Exhibit 29: ██████████, 21 Oct 2011. ██████████
- (U) Exhibit 30: Media Bias Fact Check website, "One America News Network (OAN)," accessed on November 2, 2020, available at <https://mediabiasfactcheck.com/one-america-news-network/>. (U)
- (U) Exhibit 31: *The New York Times* "Democrats Warn of Possible Foreign Disinformation Plot Targeting Congress," dated July 20, 2020, available at <https://nyti.ms/2Cw0awo>. (U)
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- (U) Exhibit 33: Website of International Horse Sport Conferation, "About Page," accessed November 19, 2020, available at <https://horsesport.org>. (U)
- (U) Exhibit 34: Website of Media Bias Fact Check, *Washington Post*, accessed July 14, 2020, available at <https://mediabiasfactcheck.com/washington-post/>. (U)
- (U) Exhibit 35: Britannica, Rudy Giuliani, accessed July 16, 2020, available at <https://www.britannica.com/biography/Rudy-Giuliani>. (U)