

THE FBI CONFIRMS THAT IT ALREADY HAS AN ONGOING INVESTIGATION OF TRUMP AND HIS RUSSIAN CONNECTIONS

FBI Director James Comey has been applying a double standard when it comes to publicly confirming whether the FBI has active investigations relating to the two major Presidential candidates. He recently sent an intentionally cryptic letter to Congress announcing that the FBI was reviewing some new email that had not yet been reviewed, but which may or may not be relevant to Hillary Clinton and her use of a private email server. These new emails may turn out to be something significant to federal law enforcement, or it may turn out to be nothing. Director Comey doesn't know at this point, and he clearly indicated that it is unlikely that the significance (or not) of these new emails will be clarified prior to election day. The Trump Campaign predictably pounced on Comey's letter and interpreted it as a message from the FBI that it would be reopening its investigation of Secretary Clinton and certain of her staff members for misuse of classified documents.

On the other hand, Director Comey has absolutely refused to confirm the FBI's ongoing investigation of Trump and some of his top aides for various unlawful activities, including having actively communicated and colluded with Russian and pro-Russian operatives to illegally influence this year's Presidential election. Director Comey has even declined to say whether FBI agents had sought to speak with or had interviewed Trump former campaign chairman Paul Manafort, or his deputy, Rick Gates, even though it is widely known throughout the law enforcement and intelligence communities that there is an active FBI investigation of Manafort, Gates and others for money laundering and other illegal activities ever since documents surfaced in Kiev, Ukraine in August 2016 showing that Manafort had received over \$12 million in cash from the pro-Russian former President of Ukraine, Viktor Yanukovich.

Although not yet specifically asked, it can also be assumed that Director Comey would “no comment” if asked about the active FBI investigation into the money laundering activities of the Trump Organization with regard to the huge influx of cash into that Company from Russian and Eastern European sources, including money provided by known international financial criminals and organized crime racketeers. The Trump Soho project in lower Manhattan was largely financed by illegally-obtained cash from Russia and several former Soviet Republics, and Trump specifically marketed his Sunny Isles, Florida apartment units in Moscow, St. Petersburg and other venues designed to attract Russian organized crime money, such as the French Riviera. So much tainted Russian money poured into Trump’s Sunny Isles project that the entire area is now referred to a “Little Moscow,” complete with Russian shops, restaurants and even directional signs.

The FBI has also not been specifically asked (but should disclose) whether the FBI has an active national security investigation of Trump senior operative and former Russian national, Boris Epshteyn, for alleged close ties and ongoing communications and coordination with known or suspected Russian intelligence sources.

Here are the facts that should be disclosed by the FBI in the interests of fairness: There has been an active FBI investigation of the Trump Campaign and several of its senior officials since at least mid-June 2016, when it became publicly known that the DNC computers were hacked by suspected Russian operatives. This FBI investigation further intensified when Paul Manafort was forced to resign at Trump’s campaign manager on August 19, 2016, after it was disclosed that he had received at least \$12.7 million in cash from the former pro-Russian President of Ukraine, Viktor Yanukovich, who was forced out of office in February 2014 and fled to Moscow, where he is still under the protection of President Vladimir Putin.

Less widely publicized – but well known to Manafort and the FBI at the time of Manafort’s resignation -- was the fact that Manafort, Rick Gates (the Deputy Chair of the Trump Campaign) and Brad Zackson , a former manager in the Trump Organization, had been using various U.S. and offshore bank accounts to launder money for a pro-Russian Ukrainian oligarch by the name of Dimitri Firtash. Mr. Firtash was ultimately indicted by the United States Attorney’s Office for the Northern District of Illinois (Chicago), although efforts to extradite Firtash from Vienna, Austria proved to be unsuccessful.

I am very familiar with these investigations since much of the evidence relating to these money laundering activities was obtained by my law firm as part of a civil RICO investigation, and then provided to the FBI. Over the past several months, at least two FBI agents have been assigned to work in Kiev, Ukraine and are coordinating with a Ukrainian anti-corruption task force in their further investigation of, among other things, Manafort, Gates and others affiliated with the Trump Campaign.

Normally, I would refrain from commenting on an ongoing investigation by the FBI that I was aware of, since the public disclosure of such an investigation could lead the target or targets of that investigation to take steps to obscure the trail of suspicious banking transfers, or to move their money to a more secure location beyond the reach of U.S. law enforcement. However, in these cases, the targets of the investigations, including Manafort, Gates, Epshtyn and Trump himself are well aware that they are the subject of ongoing FBI investigations, so public disclosure should not impair those investigations. Moreover, the American public is entitled to know as much about the FBI ongoing investigations into Trump and his chief advisors before they go to the polls, even though Director Comey has already damaged the electoral process by only disclosing the details regarding the FBI investigation of one of the Presidential

candidates, while refusing to even acknowledge that there are far more serious investigations of the Trump Campaign and its various operatives.

Kenneth F. McCallion, a former federal prosecutor with the U.S. Department of Justice, is now a civil attorney based in New York specializing in civil RICO and international money laundering cases. He also represented Yulia Tymoshenko, the former Ukraine Prime Minister, who was imprisoned during the pro-Russian regime of former Ukraine President Viktor Yanukovich, who was forced out of office and fled to Moscow in February 2014. Over the span of many years, Mr. McCallion provided information to the FBI and other federal law enforcement agencies regarding money laundering and racketeering activities engaged in by international financial criminals based in Russia, Ukraine and other Eastern European and Central Asian countries.