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United States Senate
COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*
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October 24, 2017

VIA ELECTRONIC SUBMISSION

The Honorable Rex W. Tillerson
Secretary
U.S. Department of State
Washington, D.C. 20520

Elaine Duke
Acting Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Tillerson and Acting Secretary Duke,

On October 12, 2017, I wrote to you both as part of an inquiry into the acquisition of Uranium One, an owner of U.S. based uranium assets, by Atomredmetzoloto (ARMZ), a subsidiary of Russia's state energy corporation, Rosatom.¹ As you know, in June 2015, I wrote several member agencies on the Committee on Foreign Investment in the United States (CFIUS) regarding the acquisition of Uranium One.² The transaction raised a number of national security concerns because it effectively ceded twenty percent of U.S. uranium production capacity to the Russian government.³

In the October 12, 2017 letter, I explained that employees of Rosatom were involved in a criminal enterprise involving a conspiracy to commit extortion and money laundering during the time of the CFIUS transaction. According to court filings in the United States District Court for the District of Maryland, in 2009, the FBI began an investigation into corruption and extortion by senior managers of JSC Technobexport (Tenex), a subsidiary of Rosatom.⁴ Tenex operated as the sole supplier and exporter of Russian Federation uranium and uranium enrichment services to nuclear power companies worldwide.⁵ Tenex established a wholly-owned subsidiary company located in the United States called Tenam, which became Tenex's official representative in the United States. Tenex was run by Vadim Mikerin, a Russian national and

¹ Letter from Senator Chuck Grassley, Chairman, Senate Comm. on the Judiciary to the Dep't of Justice, State, and Treasury (Oct. 12, 2017).

² Letter from Senator Chuck Grassley, Chairman, Senate Comm. on the Judiciary to the Dep't of Justice, State, and Treasury (June 30, 2015).

³ Wilson Andrews, "Donations to the Clinton Foundation, and a Russian Uranium Takeover," THE NEW YORK TIMES (April 22, 2015); Jo Becker and Mike McIntire, "Cash Flowed to Clinton Foundation Amid Russian Uranium Deal," THE NEW YORK TIMES (April 23, 2015). See also, Uranium One to Nuclear Regulatory Commission, January 29, 2013. Accessible at <http://pbadupws.nrc.gov/docs/ML1304/ML13043A505.pdf>

⁴ Government's Response to Defendant's Motion to Dismiss for Pre-Indictment Delay, United States v. Vadim Mikerin, Criminal No. TDC-14-0529 (D. MD) at 1.

⁵ Superseding Indictment, United States v. Vadim Mikerin, Criminal No. TDC-14-0529 (D. MD) at 1.

Director of the Pan American Department of Tenex from 2004 to 2010. In 2010, Mikerin became the executive director of Tenam until 2014.⁶ As director of Tenam, he oversaw the shipment of uranium from Russia for use in American power plants under the “Megatons to Megawatts” program.⁷ It has been reported that at one point the program fueled ten percent of U.S. electricity.⁸

According to press accounts and court filings, the FBI was investigating Vadim Mikerin in 2009, yet Mikerin was approved for a work visa by the Obama Administration in 2010 to run Rosatom’s new American arm, Tenam.⁹ Court documents show that Mikerin renewed that same visa in August 2014, and initiated the process to become a lawful permanent resident soon after.¹⁰ He was apparently arrested the following month for alleged money laundering and extortion in October 2014.¹¹ It is concerning that a suspected criminal was able to apply for and renew a work visa while being under FBI investigation. Therefore, to better understand the circumstances surrounding his visa application and renewal, please provide the following information no later than November 7, 2017.

U.S. Department of State

1. Please provide all visa records and associated documentation for Vadim Mikerin.
 - a. At which embassy or consulate did he submit the application?
 - b. Please provide the visa category and validity period for all previous visas issued to Mikerin.
 - c. Please provide the dates of submission for all past visa applications submitted by Mikerin, along with all associated documentation, case notes, or other related information.
 - d. Was Mikerin subjected to any additional administrative processing associated with any visa application? Please explain and provide all documentation uncovered, or created, as a result of such additional processing.

U.S. Department of Homeland Security

1. Please provide the a-file, all records of entry into or exit from any port of entry in the United States for Mikerin, a timeline of his known travel into the United States, and all relevant receipt files.

⁶ *Id.*

⁷ Joel Schectman, *U.S. sentences Russian nuclear official to four years for bribe scheme*, Reuters (Dec. 15, 2015). The “Megatons to Megawatts” program converted uranium from thousands of Russian nuclear warheads for civilian use in U.S. nuclear power plants.

⁸ *Id.*

⁹ <http://thehill.com/policy/national-security/355749-fbi-uncovered-russian-bribery-plot-before-obama-administration>

¹⁰ Defendant’s Motion to Reconsider, *United States v. Vadim Mikerin*, Criminal No. TDC-14-0529 (D. MD) at 8.

¹¹ *Id.* at 4.

I anticipate that your written reply and any responsive documents will be unclassified. Please send all unclassified material directly to the Committee. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committee, and provide a classified addendum to the Office of Senate Security. Although the Committee complies with all laws and regulations governing the handling of classified information, it is not bound, absent its prior agreement, by any handling restrictions or instructions on unclassified information unilaterally asserted by the Executive Branch.

Thank you in advance for your cooperation with this request. If you have questions, please contact Katherine Nikas or Josh Flynn-Brown of my Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

Cc:

The Honorable Dianne Feinstein
Ranking Member
Senate Committee on the Judiciary