RTP:NR/RCH/MJM
F. #2018R01309

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----------X

UNITED STATES OF AMERICA

- against -

RASHID AL-MALIK,

Defendant.

----------X

TO BE FILED UNDER SEAL

COMPLAINT AND AFFIDAVIT IN SUPPORT OF ARREST WARRANT

(18 U.S.C. § 951)

19-MJ-556

EASTERN DISTRICT OF NEW YORK, SS:

WARREN CHIU, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

In or about and between January 2016 and March 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RASHID AL-MALIK did knowingly and intentionally act in the United States as an agent of a foreign government, to wit: the government of the United Arab Emirates, without prior notification to the Attorney General of the United States (the "Attorney General") as required by law.

(Title 18, United States Code, Section 951)

The source of your deponent's information and the grounds for his belief are as follows:[1]

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have served in that capacity for thirteen years. I have been involved in the investigation of numerous cases involving political corruption, money laundering and improper foreign influence. I am familiar with the facts and circumstances set forth below from: my participation in the investigation; my review of the investigative file, including materials obtained via subpoenas and search warrants; and reports of other law enforcement officers involved in the investigation.

I. Relevant Statute

2. Section 951 of Title 18 of the United States Code ("Section 951") provides that "[w]hoever, other than a diplomatic or consular officer or attaché, acts in the United States as an agent of a foreign government without prior notification to the Attorney General . . . shall be fined . . . or imprisoned not more than ten years, or both." Section 951(d) defines "agent of a foreign government" as an "individual who agrees to operate within the United States subject to the direction or control of a foreign government or official." The Department of Justice ("DOJ") maintains files of all individuals who have provided notification under Section 951 to the Attorney General.

[1] Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

II. The Defendant

3. RASHID AL-MALIK is a citizen of the United Arab Emirates ("UAE") and the founder, Chairman and CEO of Hayah Holdings, a private investment company based in Dubai, UAE. Between approximately January 2016 and March 2018, AL-MALIK resided primarily in the United States and traveled frequently between the United States and the UAE, which travel included departures and arrivals at John F. Kennedy International Airport in Queens, New York.[2] My review of DOJ records indicates that AL-MALIK did not notify the Attorney General that he was acting as an agent of the UAE government at any time prior to March 2018.

III. Overview of AL-MALIK's Influence Campaign on Behalf of the UAE

4. As set forth below, the FBI investigation has established that AL-MALIK acted in concert with, and on behalf of, the UAE government, and as an agent thereof, to influence U.S. public opinion, public policy and law. Specifically, in response to direction from senior UAE officials, AL-MALIK made requests to U.S. persons who AL-MALIK believed had the ability to influence the campaign of a candidate (the "Candidate") in the 2016 United States Presidential Election (the "Campaign"). This influence operation included efforts to shape the Campaign's policy with respect to the UAE and the Kingdom of Saudi Arabia ("KSA"), as well as brokering personal introductions between UAE and KSA officials and U.S. political figures, with the intent of establishing lines of communication between officials in the UAE and KSA governments and the Campaign. Following the 2016

[2] Based on my review of international travel records, AL-MALIK was in the United States approximately 300 days in 2016 and approximately 270 days in 2017. Between January 1, 2018, and his departure from the United States on or about April 8, 2018, AL-MALIK was in the United States approximately 45 days.

United States Presidential Election, in response to direction from senior UAE officials, AL-MALIK made requests of U.S. persons who AL-MALIK believed had the ability to influence the policy of the United States government and public opinion with respect to the UAE, the KSA and other Middle Eastern countries.

5. Based on my training and experience, I am aware that individuals acting at the direction of foreign governments, like AL-MALIK, who do not notify the Attorney General or otherwise identify themselves to the United States government as agents of a foreign government, do so in order to operate in the United States in a covert manner. I am further aware that such covert actors pose a risk to the security of the United States because they present an opportunity for foreign governments to influence United States politics and policy without the knowledge of the United States government and public.

IV. Relevant Individuals

6. The investigation has revealed that, during the relevant time period, AL-MALIK reported to a senior government official of the UAE ("UAE Official 1"). In communications sent on or about April 6, 2016, AL-MALIK identified UAE Official 1 as a "top advisor" to the UAE's leadership on "[n]ational security." In addition, I have identified multiple publicly-available sources, including press releases issued by the UAE government, identifying UAE Official 1 as a very senior UAE national security advisor to the UAE's leadership in 2016 and 2017.

7. AL-MALIK communicated with UAE Official 1 and other senior UAE officials through another citizen of the UAE ("UAE Official 2"). In a visa application that UAE Official 2 submitted to the United States Department of State in or about 2011, UAE

Official 2 represented that he/she was employed by the UAE's Ministry of Foreign Affairs.[3] Additionally, as part of the investigation, I have reviewed email messages, obtained pursuant to judicially-authorized search warrants, sent to and from UAE Official 2 at an email address associated with the UAE's national security council.

8. During the relevant time period, AL-MALIK was in frequent contact with an individual ("U.S. Person 1") who is a United States citizen and who was a friend of the Candidate and an advisor to and surrogate for the Campaign. After the 2016 United States Presidential Election, U.S. Person 1 continued to advise senior U.S. government officials with respect to Middle East policy, including policy with respect to the UAE and the KSA, and worked to positively affect U.S. public opinion related to the UAE. Most of AL-MALIK's efforts to influence the Campaign and, later, U.S. policy to benefit the UAE were directed through U.S. Person 1.

9. During this same time period, AL-MALIK was also in frequent contact with a United States citizen ("U.S. Person 2") who was an employee of and an assistant to U.S. Person 1.

V. AL-MALIK was Directed to Establish a Line of Communications Between the UAE and the Campaign

10. The investigation has revealed that AL-MALIK sought to use his relationships with U.S. Person 1 and U.S. Person 2 to create a covert means for the UAE to influence the policy positions of the Campaign in a way that would not be available for diplomats and other persons overtly associated with a foreign government.

---

[3] UAE Official 2 obtained the visa and has used it to enter the United States as recently as 2015.

11. As part of the investigation, I have reviewed email and text message communications between U.S. Person 1 and AL-MALIK obtained pursuant to judicially-authorized search warrants. Those communications demonstrate that AL-MALIK conveyed messages and arranged meetings between senior UAE government officials and individuals associated with the Campaign, including U.S. Person 1.

12. On or about April 26, 2016, U.S. Person 1 communicated to AL-MALIK, via email, that in advance of an upcoming meeting, UAE Official 1 should be made aware that U.S. Person 1 had a close personal relationship with a UAE diplomat in the United States. AL-MALIK responded: "Yes I know but he [the UAE diplomat] can't do what you do and will never be! . . . What we do he will never be able to do as diplomats!" In fact, according to AL-MALIK, UAE Official 1 was of the view that "[diplomats] can't do much."

13. According to communications between U.S. Person 1 and AL-MALIK and other evidence reviewed during the course of this investigation, U.S. Person 1 and Al-MALIK traveled from Los Angeles, California to the UAE on or about May 1, 2016, to meet with senior UAE government officials, including UAE Official 1.

14. On or about May 1, 2016, U.S. Person 1 emailed a senior member of the Campaign (the "Senior Campaign Official"): "I am in Abu Dhabi with [UAE Official 1]. Call if u can." Later that day, U.S. Person 1 emailed the Senior Campaign Official with an upbeat assessment of the meeting and mentioned the possibility of a meeting in the United States between the UAE leaders and the Candidate. Later that day, U.S. Person 1 contacted AL-MALIK and asked: "Was [the senior UAE government official] happy?" AL-MALIK responded: "Beyond expectations and excited to move forward!"

15. On or about May 4, 2016, U.S. Person 1 emailed AL-MALIK and stated: "Tell [the senior UAE government official] to [p]ack his bags. [The Candidate] is the man." AL-MALIK responded: "Amazing." AL-MALIK then emailed U.S. Person 1 and stated: "They just called me that [sic] [the senior UAE government official] will see us again when he comes to US next month before meeting with [the Candidate]!" According to communications reviewed during the course of this investigation, U.S. Person 1 met with several senior members of the Campaign that same day in New York City. However, based on a review of relevant communications and the investigation thus far, the contemplated meeting between a senior UAE official and the Candidate did not occur.

16. On or about May 5, 2016, U.S. Person 1 sent AL-MALIK an email stating: "So I have permission to tell [the Candidate] [that] [a senior UAE government official] will specifically come to NYC to meet with [the Candidate] directly and that should be the main means of communication with the UAE[?]" AL-MALIK replied: "Absolutely and 100%." AL-MALIK later responded to the same email with the message: "[The senior UAE government official] will also speak with [a senior KSA government official] about you and the direct link with [the Candidate], so we will have the 2 main allies who are already fighting for America through you."

17. Similarly, on or about May 9, 2016, AL-MALIK communicated to U.S. Person 2 that: "[U.S. Person 1] and I are moving nicely with AD." AL-MALIK later clarified that "AD" referred to "Abu Dhabi." Based on the investigation, I believe that AL-MALIK was referencing his efforts to coordinate communications between U.S. Person 1 and senior UAE government officials.

18. On or about May 25, 2016, AL-MALIK sent an email message to U.S. Person 1 and stated: "They can meet [a senior member of the Campaign] and you Sunday onward in Abu Dhabi." U.S. Person 1 replied: "Who[?]" AL-MALIK responded: "[UAE Official 1] and most probably [another senior UAE government official]." AL-MALIK then responded: "Will be great if also [the Senior Campaign Official] and [an advisor to the Campaign] (if he can fly) comes along?"

19. On or about September 6, 2016, U.S. Person 2 and AL-MALIK communicated via text message regarding a potential meeting between UAE Official 1 and the Candidate. U.S. Person 2 texted: "[U.S. Person 1] wanted me to let you know that we need with [sic] setup meetings within the next two weeks for [UAE Official 1] and our friends." When asked by AL-MALIK to clarify, U.S. Person 2 further explained: "We need to arrange the personal meeting with [UAE Official 1] and [the Candidate] within the next two weeks. They are running out of time." AL-MALIK responded: "Relayed the msg." Based on the investigation, I believe that in this exchange AL-MALIK was acting as a conduit and transmitting messages between UAE Official 1 and other senior UAE government officials and individuals affiliated with the Campaign. I further believe, based on a review of relevant communications, that the proposed meeting with the Candidate did not occur.

20. Later, on September 29, 2016, AL-MALIK forwarded a text message to UAE Official 2, that stated: "Rashid, received text from [a senior UAE government official], it was amazing, thanks for keeping in touch with our friends, will keep you posted . . . great

job"[4] and then forwarded a second message stating: "From [U.S. Person 1]." Based on the investigation, I believe these were messages that originated with U.S. Person 1 that AL-MALIK forwarded to UAE Official 2 and reflected U.S. Person 1's gratitude that AL-MALIK continued to act as an intermediary between senior UAE government officials ("our friends") and U.S. Person 1 on behalf of the Campaign.

21. During this same time period, AL-MALIK took steps to establish a secure means of communications between senior UAE leaders and U.S. Person 1. On or about September 26, 2016, UAE Official 2 sent a text message to AL-MALIK stating that UAE Official 2 had sent U.S. Person 1, via the web-based messaging application WhatsApp, a link for a "secure application" that UAE Official 1 utilized. On or about September 27, 2016, U.S. Person 2 told AL-MALIK that he and U.S. Person 1 were working to download the secure messaging application. The following day, U.S. Person 2 expressed hesitancy to download the application for fear that it would access all of the information on U.S. Person 1's telephone. In response, AL-MALIK suggested that they purchase a "new one without any data u can use that phone." Contemporaneous communications reflect that AL-MALIK was in Los Angeles at this time.

22. On or about October 6, 2016, U.S. Person 2 texted AL-MALIK: "Phone coming tomorrow." Later the same day, AL-MALIK inquired: "Do u have the phone ready with the app?" and U.S. Person 2 responded: "Just text [UAE Official 2]. We did it I have the phone."

---

[4] The ellipses ("...") appear in the original communication.

23. Subsequently, on October 9, 2016, AL-MALIK and UAE Official 2 discussed arranging a call between U.S. Person 1 and UAE Official 1. Based on my training and experience and the investigation, I believe the communications set forth in paragraphs 21 and 22 represented an effort by AL-MALIK to establish a secure line of communication between U.S. Person 1 and senior UAE officials that would be encrypted and could not be easily monitored.

VI. AL-MALIK was Directed by Senior UAE Government Officials to Influence the Campaign's Policy Positions and U.S. Public Opinion

24. AL-MALIK was also tasked with influencing the Campaign's policy positions with respect to the Middle East in general and the UAE in particular, including by, among other things, providing language for a campaign speech to be delivered by the Candidate to reflect the policy preferences of the UAE. AL-MALIK also provided comments on opinion articles.

A. The May 26, 2016 Energy Speech

25. On or about May 12, 2016, U.S. Person 1 sent AL-MALIK a draft of a speech on energy policy that was scheduled to be delivered by the Candidate on or about May 26, 2016 (the "Speech"). U.S. Person 1 then sent a text message to AL-MALIK that stated: "What do u think of his energy message given to American executives with a pro Middle East point of view – for u and Saeed to re[v]iew for me quickly. I need a few pro Middle East aspects. It is my own first draft." Telephone records reflect that U.S. Person 1 and AL-MALIK spoke telephonically shortly after this text message exchange.

26. Later that day, AL-MALIK sent U.S. Person 1 a text message: "this is what I got from them," and then sent the following paragraph: "One need only look at the

work that [a senior KSA government official] is doing with his [...] plan, [o]r [a senior UAE government official's] plans to further diversify his countries [sic] economy, and at the same time both countries have managed to deliver a major blow to our greatest enemy AQAP [al-Qaeda in the Arabian Peninsula] in Yemen. We can and should support reform in the Middle East, in the process thereby reducing the appeal of Islamic terrorism, and support our allies who are fighting our enemies." Based on the investigation, I believe that AL-MALIK's reference to "them" was a reference to senior UAE government officials who provided language to AL-MALIK that they wanted inserted into the Speech. I further believe that AL-MALIK was tasked by UAE government officials to send the above-described requested edits to U.S. Person 1 in an attempt to influence the Campaign's public policy positions and public opinion through the Speech.

27. On or about May 13, 2016, U.S. Person 1 sent a draft of the Speech to AL-MALIK, with the subject line "Totally Confidential" and wrote: "Here is my latest draft! I will give it to him tomorrow!! Note reference to [senior UAE and KSA government officials]." Based on my training and experience, as well as information gathered during the course of the investigation and the content of the message itself, I believe "him" was a reference either to the Senior Campaign Official or the Candidate.

28. In the draft of the Speech that U.S. Person 1 emailed to AL-MALIK on May 13, 2016, U.S. Person 1 included the following language with respect to the UAE and the KSA: "However, just because we have reduced our imports does not mean we should rescind our involvement from the Middle East, nor does it mean we are unaffected by regional instability. Rather, we should partner with our Gulf allies. . . . [and] materially assist in their diversification efforts, such as those of [a senior KSA government official]

outlined in his [...] plan or [a senior UAE government official] through his commendable reforms in the UAE."

29. On or about May 14, 2016, UAE Official 2 sent a draft of the Speech to AL-MALIK and wrote: "This is what we agreed on with our neighbors." Based on my training and experience, as well as information gathered during the course of the investigation and the content of the message itself, I believe that "we" refers to senior UAE government officials who had consulted with senior KSA government officials ("our neighbors") and reached agreement about proposed language for the Speech.

30. AL-MALIK forwarded the May 14, 2016 email he had received from UAE Official 2 to U.S. Person 1 and wrote: "This was an add to the first draft you sent me. You will notice[] it's not mentioning [sic] [senior UAE leader] but we should include it as [it is in] your second draft. They only added some minor technical points." On or about May 14, 2016, U.S. Person 1 wrote to the Senior Campaign Official: "How did you like the energy paper[?] I thought I did a really good job. The only sensitive part is whether you want to name [the senior UAE and KSA government officials] by name. But I think it would be a good idea." The Senior Campaign Official replied: "I left their names in the draft."

31. On or about May 18, 2016, AL-MALIK wrote to U.S. Person 1: "Everyone back home looking forward for [sic] the speech from our friend! They are following and excited." Based on my training and experience, as well as information gathered during the course of the investigation and the content of the message itself, I believe "everyone back home" was a reference to senior UAE government officials, and that "the speech from our friend" was a reference to the Speech scheduled to be delivered by the

Candidate on May 26, 2016.

32. On or about May 20, 2016, the Senior Campaign Official sent U.S. Person 1 a revised version of the Speech, which did not include the edits requested by AL-MALIK, and noted: "It has become a more political speech but there is reference to working with our allies regarding energy policy." U.S. Person 1 replied: "I think this is novice and imbecilic but perhaps that's the direction it needs to go! … Nonetheless he better figure out a way to get one paragraph to balance foreign-policy concerns for energy dependent allies in the gulf." Based on my training and experience, as well as information gathered during the course of the investigation and the content of the message itself, I believe "energy dependent allies in the gulf" was a reference to senior UAE government officials and senior government officials in the Middle East.

33. Later that same day, the Senior Campaign Official sent an email with the subject line "Speech insert" to U.S. Person 1 that read: "Send me an insert that works for our friends. I will push to get it included. This is easier than fighting to get the speech back to where it was." Based on my training and experience, as well as information gathered during the course of the investigation and the content of the message itself, I believe "our friends" was a reference to senior UAE government officials and senior KSA government officials.

34. Shortly thereafter, U.S. Person 1 sent an email to the Senior Campaign Official with the subject line "Like this," which contained the following paragraph: "And as my administration continues to empower the domestic capabilities and grow the economic

engine of the USA oil & gas sector, we will also work together with our supportive allies in the Gulf to build a durable, sustainable and USA friendly, positive energy and foreign affairs relationship – one that when implemented, would eradicate terrorism and radicalism at home and abroad!" The Senior Campaign Official replied: "Sent to our policy guy to include in the speech." A few hours later, the Senior Campaign Official wrote to U.S. Person 1: "I am working to have paragraph [sic] added."

35. On or about May 21, 2016, U.S. Person 1 sent an email to AL-MALIK that included the same language, identified in paragraph 34, that U.S. Person 1 had sent to the Senior Campaign Official. AL-MALIK asked: "So no mention of names?" U.S. Person 1 replied: "No. Delicate time. [UAE Official 1] should have come!"

36. On or about May 26, 2016, the Senior Campaign Official sent U.S. Person 1 an email with the subject line "Latest Energy Speech" and attached a draft of the Speech. The Senior Campaign Official stated: "This is the most likely final version of the speech. It has the language you want." That same day, the Candidate delivered the Speech and stated: "We will become, and stay, totally independent of any need to import energy from the OPEC cartel or any nations hostile to our interests. At the same time, we will work with our Gulf allies to develop a positive energy relationship as part of our anti-terrorism strategy."

37. That same day, AL-MALIK wrote an email to U.S. Person 1: "Amazing speech! He mentioned the Gulf allies which is great but without Saudi and UAE! [Two senior UAE and KSA government officials] were watching."

38. Later that evening, UAE Official 2 wrote an email to U.S. Person 1: "Congrats on the great job today, [a UAE government official] and everybody here are happy with the results and we are looking forward for the big meeting which will be set very soon."

B. U.S. Media Appearances

39. AL-MALIK, acting at the behest of the UAE government, reported to UAE government officials on U.S. Person 1's television appearances and sought to leverage those television appearances to promote the interests of the UAE.

40. For example, on or about May 31, 2016, U.S. Person 1 sent AL-MALIK a website link to a recent television interview in which U.S. Person 1 had participated on a cable news television station ("News Outlet #1"), along with a note indicating: "I have taken responsibility for our region." Based on my training and experience and the investigation, I understand "our region" to be a reference to the Middle East. U.S. Person 1 further indicated that he had another interview upcoming on a different television station ("News Outlet #2") and asked whether there was "[a]nything [UAE Official 1] would like me to discuss on [News Outlet #2] that I did not do on [News Outlet #1]?"

41. In response, AL-MALIK emailed: "[UAE Official 1] was extremely impressed and happy with your [News Outlet #1] interview! He showed it to [a senior UAE government official] and you are the new trusted friend! [UAE Official 1] will call you anytime in the next few days to thank u in person! They already tried you 3 times yesterday and before yesterday. I informed them that you will be responsible for our region and they are extremely excited on what we can achieve!" In response, U.S. Person 1 stated: "You are

there [sic] secret weapon." That same day, AL-MALIK contacted U.S. Person 2 and indicated that senior UAE government officials were attempting to call U.S. Person 1.

42. On or about July 1, 2016, AL-MALIK sent U.S. Person 1 an email while U.S. Person 1 was located in the Eastern District of New York. In the exchange, AL-MALIK and U.S. Person 1 discussed a media appearance by U.S. Person 1 regarding the Campaign and the Candidate. AL-MALIK wrote: "send me the link will send it to AD now." Based on the investigation, I believe that "AD" refers to Abu Dhabi, and that this email indicated Al-MALIK's plan to share a link to the media appearance with senior UAE government officials.

43. On or about August 29, 2016, U.S. Person 2 and AL-MALIK exchanged text messages about U.S. Person 1's recent appearance on a cable news network. AL-MALIK stated to U.S. Person 2, in sum and substance and in part, that AL-MALIK had informed UAE Official 2 about the appearance. Contemporaneous communications reflect that AL-MALIK was in Los Angeles at the time.

44. On or about September 5, 2016, U.S. Person 2 and AL-MALIK exchanged the following text messages:

AL-MALIK:	Our friends [sic] [UAE Official 1] loved [U.S. Person 1's] interviews[.]
AL-MALIK:	And they will send some recommendations[.]
U.S. Person 2:	Yes that makes me so happy[.]
U.S. Person 2:	Congratulation [sic][.]

That same day, AL-MALIK sent U.S. Person 1 an email with the subject line "Feedback was great" and stated: "Positively perceived interview by Boss and they told me they will send

recommendations to you soon." Based on the investigation and AL-MALIK's communications at this time, I believe that AL-MALIK's use of the word "Boss" was a reference to UAE Official 1.

45. On or about September 27, 2016, U.S. Person 2 and AL-MALIK exchanged text messages, in which, in sum and substance and in part, U.S. Person 2 informed AL-MALIK that U.S. Person 1 had spoken positively about the UAE leadership: "Just gave shout out to [UAE Official 1] and [a senior UAE government official]! [News Outlet #1]. I'll send link shortly." U.S. Person 2 also indicated to AL-MALIK that: "[a senior UAE government official] text[ed] [U.S. Person 1] congratulating [U.S. Person 1] about the show!" U.S. Person 2 also confirmed that the senior UAE government official was specifically congratulating U.S. Person 1 on the television appearance. Contemporaneous communications reflect that AL-MALIK was in Los Angeles at the time.

46. Shortly thereafter, AL-MALIK exchanged text messages with UAE Official 2. AL-MALIK provided a link to a series of video clips of U.S. Person 1 participating in a televised news interview and noted that in the "3rd video he mentioned the names." Based on the investigation, I believe this refers to U.S. Person 1's mention of UAE Official 1 and another senior UAE government official during the televised interview. UAE Official 2 responded: "Got it. He is doing well. Were you able to reach him? Regarding the application." Based on the investigation, I believe that UAE Official 2 was communicating his belief that U.S. Person 1 was doing "well" in communicating positive talking points about the UAE government. I further believe he was inquiring as to whether U.S. Person 1 had obtained the secure communication application that UAE Official 2

wanted U.S. Person 1 to obtain to enable U.S. Person 1 to facilitate secure communications with senior UAE government officials, as described above in paragraphs 21 and 22.

C. Articles and Op-Eds

47. On or about October 18, 2016, U.S. Person 2 sent AL-MALIK a draft Op-Ed article authored by U.S. Person 1 to be published in a monthly news magazine (the "Magazine"), which discussed U.S. foreign policy in the Middle East and praised the leadership of senior UAE government officials and senior KSA government officials. In response, AL-MALIK noted that the draft Op-Ed article referred to Middle Eastern governments as "dictatorships" and sent a text message stating: "They didn't like Dictatorships word." Based on my training and experience, as well as information gathered during the course of the investigation and the content of the message itself, I believe that "they" referred to senior UAE government officials, including UAE Official 1. AL-MALIK further stated in a text message that senior UAE government officials wanted the reference to "dictatorships" changed to "governments" or "regimes" and clarified: "Because they don't want to be also labeled as dictators." In response, U.S. Person 2 stated: "Regimes is good. I'll change."

48. On or about October 22, 2016, U.S. Person 1 published the Op-Ed article in the Magazine. In the published version of the Op-Ed article, the reference to "dictatorships" was substituted with a reference to "regimes." That same day, U.S. Person 1 emailed the article to AL-MALIK who responded: "I loved it and well said! I sent it already." Contemporaneous communications reflect that AL-MALIK was in Los Angeles at the time. Based on my training and experience, as well as information gathered during the course of this investigation and the content of the message itself, I believe that AL-MALIK

was indicating that he sent the Op-Ed article to senior UAE government officials, including UAE Official 1. On or about October 24, 2016, U.S. Person 2 contacted AL-MALIK and asked: "How did our friends enjoy the article?" Based on my training and experience, as well as information gathered during the course of the investigation and the content of the message itself, I believe that "our friends" referred to senior UAE government officials, including UAE Official 1. AL-MALIK then contacted UAE Official 2 and relayed that U.S. Person 1 wanted to know how UAE Official 1 reacted to the Op-Ed article ("Bro, [U.S. Person 1] asking how Boss liked the article?").

VII. AL-MALIK Continued to Seek to Influence U.S. Policy and U.S. Public Opinion After the Presidential Election

49. According to communications reviewed during the course of the investigation, AL-MALIK and U.S. Person 1 continued to communicate regarding efforts to influence the policy of the U.S. government with respect to the UAE government, the KSA government and the Middle East generally after the U.S. Presidential Election on November 8, 2016.

50. On or about November 23, 2016, AL-MALIK sent a message to UAE Official 2, stating: "Economic_Plan_Revisited_3.1. Shall I give to [UAE Official 1] [....] It's economic plan I wrote for [the Candidate] and [U.S. Person 1]." Based on the investigation, I believe AL-MALIK was asking UAE Official 2 if he should show an economic plan he had prepared for U.S. Person 1 and the Candidate to UAE Official 1.

51. Similarly, on or about November 25, 2016, AL-MALIK sent a message to U.S. Person 2, expressly identifying his efforts to advance the interests of the UAE government, writing: "Tomorrow I will see [UAE Official 1's] team and [sic] on draft ideas

for [U.S. Person 1] to [c]hampion them."

52. On or about December 1, 2016, U.S. Person 1 and U.S. Person 2 traveled to the UAE and met with AL-MALIK as well as other senior UAE leaders, including UAE Official 1. On or about December 2, 2016, AL-MALIK communicated via text message with U.S. Person 2, asking U.S. Person 2 "to think about what [U.S. Person 1] said regarding 100 days plan/6months/year/4 years. And me and u will work with the guys here and Saudi." Based on my training and experience and the investigation, I believe that AL-MALIK was stating to U.S. Person 2 that he would serve as a means of communication for the UAE and the KSA ("here and Saudi") to communicate to U.S. Person 1 their policy requests at various stages of the incoming U.S. Administration's tenure ("100 days plan/6months/year/4 years").

53. On or about February 9, 2017 and again on March 13, 2017, AL-MALIK sent U.S. Person 2 the resume of an individual who AL-MALIK indicated was the UAE leadership's choice to serve as the United States ambassador to the UAE. On or about March 15, 2017, AL-MALIK wrote to U.S. Person 1: "They r very keen on the ambassador they suggested to help the relationship. Your help will go long way." U.S. Person 1 responded: "Yes--give me name again." AL-MALIK then sent U.S. Person 1 the resume of the same individual that he had discussed with U.S. Person 2. Based on my training and experience and the investigation, I believe AL-MALIK's use of "they" was a reference to senior UAE leaders.

54. Further, on or about March 15, 2017, AL-MALIK and U.S. Person 1 communicated via text messages. In sum and substance and in part, U.S. Person 1 asked AL-MALIK to have a senior UAE government official tell to a senior U.S. government

official that the senior UAE government official would be "happy to work" with U.S. Person 1 if U.S. Person 1 were to be appointed as a "special envoy" to the Middle East on behalf of the U.S. government. Later the same day, U.S. Person 1 informed AL-MALIK, in sum and substance and in part, that U.S. Person 1 had taken steps to ensure that a senior KSA government official had been accorded a higher level of diplomatic protocol on a recent trip to the United States, to which AL-MALIK replied: "Very grateful for your support to us."

55. On April 12, 2017, AL-MALIK and U.S. Person 1 communicated further about U.S. Person 1's potential appointment to a senior diplomatic position in the U.S. government. U.S. Person 1 informed AL-MALIK, in sum and substance and in part, that U.S. Person 1 had been asked by a senior U.S. government official about becoming "ambassador to the UAE and from that position become special envoy." AL-MALIK replied: "This will be great for us[.] And makes you deliver more[.] Very effective operation[.]" U.S. Person 1 replied: "And great for u!" Based on my training and experience and the investigation, I believe AL-MALIK's statement "this will be great for us" reflected his belief that U.S. Person 1's appointment to a senior diplomatic position would be beneficial to the UAE government and its allies in the Middle East.

56. On April 17, 2017, AL-MALIK informed U.S Person 2 that "our friends" had told AL-MALIK that another U.S. official would be taking over the duties of the special envoy position that U.S. Person 1 had sought. Based on my training and experience and the investigation, I understand AL-MALIK's statement to indicate that senior leaders in the UAE had learned that U.S. Person 1 would not be appointed a special envoy to the Middle East.

57. On May 10, 2017, U.S. Person 2 informed AL-MALIK that U.S. Person 1 "is not going to go into government just so you know . . . . Just help on the outside." Later that day, AL-MALIK asked U.S. Person 2 to arrange another media appearance by U.S. Person 1, writing: "We need the interview! I think it's a great time specially [sic] the White House announced [a senior UAE leader's] visit [on May 15, 2017]. . . . It will help a lot plz [sic]." U.S. Person 2 reassured AL-MALIK that U.S. Person 2 would "work on it." Based on my training and experience and the investigation, I understand that U.S. Person 2 was confirming in his statement that U.S. Person 1 would not be taking an official position within the United States government ("Just help on the outside") and that AL-MALIK was continuing to seek U.S. Person 1's assistance in obtaining positive media coverage relating to the UAE's leadership.

58. On May 15, 2017, AL-MALIK and U.S. Person 1 communicated about United States policy in the Middle East. During that conversation, AL-MALIK accepted an offer from U.S. Person 1 to ensure that senior U.S. officials met with a senior UAE official at the White House. U.S. Person 1 also described another U.S. official's assumption of responsibility for U.S. foreign policy in the Middle East as "not the best," but reassured AL-MALIK that U.S. Person 1 would "remain on the sidelines to help [the UAE] navigage [sic] because [the U.S. official] will not be fruitful for them." AL-MALIK replied that the U.S. official's missteps would show "who can really run things with [the Middle East]! Only you." U.S. Person 1 replied: "Us!! They will all become frustrated soon." AL-MALIK responded: "Hopefully u [sic] can lead with achievable strategy. Our ppl [sic] wants u [sic] to help. They were hoping you can officially run the agendas." U.S. Person 1 answered: "I will! This [f]irst wave through [the appointed U.S. official] will not work." Based on my

training and experience and the investigation, I believe AL-MALIK was informing U.S. Person 1 in this communication that, not withstanding the fact that U.S. Person 1 would not have an official role in U.S. foreign policy in the Middle East, senior members of the UAE's leadership ("Our ppl [people]") were continuing to seek U.S. Person 1's assistance ("Hopefully u can lead"). Later that same day, senior U.S. officials met with UAE Official 1 and other senior UAE officials at the White House.

59. The following day, May 16, 2017, U.S. Person 1 told AL-MALIK that he had "lots of info on [the] meeting" between senior U.S. officials and senior UAE officials at the White House the previous day. AL-MALIK separately advised U.S. Person 2 that U.S. Person 1 had information about the aforementioned meeting, and that U.S. Person 2 was "the hero" of a senior UAE official and UAE Official 2.

60. AL-MALIK also communicated with U.S. Person 1 to arrange meetings between senior U.S. government officials and senior UAE government officials. For example, on May 15, 2017, AL-MALIK and U.S. Person 1 exchanged the following text messages:

U.S. Person 1:	Marhaba[5] -- any idea where the boys will be on Wednesday[?]
AL-MALIK:	In the plane flying back, am meeting them in [Washington] DC tomorrow and they will give me a date before Saudi visit to meet in Abu Dhabi[.]
AL-MALIK:	I guess Thursday or Friday most probably but I will know tomorrow evening[.]

[5] "Marhaba" is an Arabic greeting.

U.S. Person 1: [...] Do U want me to make sure [two senior U.S. government officials are] in meetings.

AL-MALIK: Yes plz[.]

Based on the investigation, I understand this to be an inquiry from U.S. Person 1 as to where senior UAE government officials (the "boys") would be in the coming days. I further understand this to be U.S. Person 1 offering to arrange for certain senior U.S. government officials to meet with the senior UAE government officials in the coming days.

61. On or about July 8, 2017, AL-MALIK again contacted U.S. Person 1 to advance the UAE government's interests through U.S. government policy. During that discussion, AL-MALIK told U.S. Person 1 that he [AL-MALIK] was in Washington, D.C. AL-MALIK proposed a potential meeting between U.S. Person 1 and UAE Official 1 to "push our plan."

62. On or about April 5, 2018, U.S. government agents interviewed AL-MALIK. In that interview, AL-MALIK falsely stated, among other things, that: (i) he was not aware of UAE leaders expressing an interest in meeting with the Candidate in May 2016, and (ii) he did not pass messages between U.S. Person 1 and UAE leaders following the 2016 Presidential Election. On April 8, 2018, AL-MALIK left the United States and he has not returned.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant RASHID AL-MALIK so that he may be dealt with according to law. I further request that this affidavit and the arrest warrant be filed under seal as disclosure of

this application would give the targets of the investigation an opportunity to destroy evidence, change patterns of behavior, notify confederates and flee from or evade prosecution.

WARREN CHIU
Special Agent, Federal Bureau of Investigation

Sworn to before me this
25th day of June, 2019

S/ Bloom

THE HONORABLE BEN BLOOM
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK