

DMP:ICR/MTK
F. #2015R01171

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

UNITED STATES OF AMERICA

- against -

KAVEH LOTFOLAH AFRASIABI,
also known as "Lotfolah Kaveh
Afrasiabi,"

Defendant.

----- X

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Act as an Unregistered Agent of a Foreign Principal)

1. In or about and between January 2007 and January 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant KAVEH LOTFOLAH AFRASIABI, also known as "Lotfolah Kaveh Afrasiabi," together with others, did knowingly and willfully conspire to act and cause others to act in the United States as an agent of a foreign principal, to wit: the government of the Islamic Republic of Iran, without registering with the Attorney General of the United States, as required by law, contrary to Title 22, United States Code, Sections 612 and 618(a)(1).

2. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendant KAVEH LOTFOLAH AFRASIABI, also known as "Lotfolah Kaveh Afrasiabi," together with others, did commit and cause the commission of, among others, the following:

I N D I C T M E N T

1:21-cr-00046(ERK)(RER)

Cr. No. _____
(T. 18, U.S.C., §§ 371, 981(a)(1)(C), 2
and 3551 et seq.; T. 21, U.S.C.,
§ 853(p); T. 22, U.S.C., §§ 612 and
618(a)(1); T. 28, U.S.C., § 2461(c))

OVERT ACTS

(a) On or about July 23, 2007, AFRASIABI negotiated a check in the amount of \$3,000 that was drawn on the bank account of the “PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS” at a financial institution located in New York, New York.

(b) In or about December 2009, AFRASIABI assisted Congressman-1, an individual whose identity is known to the Grand Jury, with drafting a December 18, 2009 letter that Congressman-1 sent to the President of the United States with a proposal related to negotiations over nuclear weapons and enrichment between the United States and the Government of the Islamic Republic of Iran (“GOI”).

(c) On or about May 30, 2012, AFRASIABI exchanged multiple emails with staff members in the office of Congressman-1 and offered to brief Congressman-1 on the state of U.S.-GOI nuclear negotiations.

(d) On or about February 19, 2013, AFRASIABI emailed the GOI’s Deputy Ambassador to the United Nations at the GOI’s Permanent Mission to the United Nations in New York, New York, an individual whose identity is known to the Grand Jury, and sought approval for an article AFRASIABI planned to publish in the Bulletin of Atomic Scientists.

(e) On or about March 28, 2014, AFRASIABI sent a message to the Press Secretary for the GOI’s Permanent Mission to the United Nations in New York, New York, an individual whose identity is known to the Grand Jury, requesting instructions for AFRASIABI’s upcoming television interview on the topic of the GOI’s foreign policy toward Pakistan.

(f) On or about April 11, 2015, AFRASIABI reviewed and provided feedback on a draft op-ed for publication under the name of the GOI's Foreign Minister that discussed, among other things, Iran's nuclear policy and regional cooperation among Persian Gulf States.

(g) On or about and between September 16, 2015 and September 17, 2015, AFRASIABI, reviewed and edited a draft speech to be given by the President of the GOI at the United Nations in New York, New York on September 24, 2015.

(h) On or about July 10, 2016, AFRASIABI appeared on television and discussed Iran's January 2016 capture of U.S. Navy personnel.

(i) On or about November 17, 2020, AFRASIABI negotiated a check in the amount of \$3,000 that was drawn on the bank account of the "PERMANENT MISSION OF I.R. IRAN TO THE UN" at a financial institution located in Long Island City in Queens, New York.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT TWO

(Acting as an Unregistered Agent of a Foreign Principal)

3. In or about and between January 2007 and January 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant KAVEH LOTFOLAH AFRASIABI, also known as "Lotfolah Kaveh Afrasiabi," together with others, did knowingly and willfully act as an agent of a foreign principal, to

wit: the government of the Islamic Republic of Iran, without registering with the Attorney General of the United States, as required by law.

(Title 22, United States Code, Sections 612 and 618(a)(1); Title 18, United States Code, Sections 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE AND TWO

4. The United States hereby gives notice to the defendant that, upon his conviction of either of the offenses charged in Counts One or Two, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense.

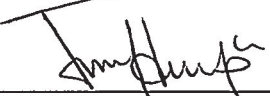
5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;


it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL



FOREPERSON



SETH D. DUCHARME
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F#: 2015R01171
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

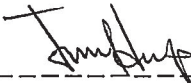
KAVEH LOTFOLAH AFRASIABI,
also known as "Lotfolah Kaveh Afrasiabi,"

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 371, 981(a)(1)(C), 2 and 3551 *et seq.*; T. 21, U.S.C., § 853(p); T. 22, U.S.C., §§ 612 and 618(a)(1); T. 28, U.S.C., § 2461(c))

A true bill.



Foreperson

Filed in open court this 25th day,

of January A.D. 20 21

Clerk

Bail, \$ -----

*Ian C. Richardson and Michael T. Keilty, Assistant U.S. Attorneys
(718) 254-6299/7528*

INFORMATION SHEET

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- 1. Title of Case: United States v. Kaveh Lotfolah Afrasiabi
- 2. Related Magistrate Docket Number(s): 21-MJ-50
- 3. Arrest Date: 1/18/2021 **1:21-cr-00046(ERK)(RER)**
- 4. Nature of offense(s): Felony
 Misdemeanor
- 5. Related Cases - Title and Docket No(s). (Pursuant to Rule 50.3.2 of the Local E.D.N.Y. Division of Business Rules): N/A
- 6. Projected Length of Trial: Less than 6 weeks
More than 6 weeks
- 7. County in which crime was allegedly committed: Queens
(Pursuant to Rule 50.1(d) of the Local E.D.N.Y. Division of Business Rules)
- 8. Was any aspect of the investigation, inquiry and prosecution giving rise to the case pending or initiated before March 10, 2012.¹ Yes No
- 9. Has this indictment/information been ordered sealed? Yes No
- 10. Have arrest warrants been ordered? Yes No
- 11. Is there a capital count included in the indictment? Yes No

SETH D. DUCHARME
ACTING UNITED STATES ATTORNEY

By: /s/Ian C. Richardson
Ian C. Richardson
Assistant U.S. Attorney
(718) 254-6299

¹ Judge Brodie will not accept cases that were initiated before March 10, 2012.