

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

MINORITY (202) 225-5051

<http://oversight.house.gov>

November 18, 2016

The Honorable Mike Pence
Vice President-Elect
Presidential Transition Office
1800 F Street NW
Washington, DC 20006

Dear Vice President-Elect Pence:

I am writing to raise questions about the apparent conflicts of interest of the Vice Chairman of the Presidential Transition Team, retired Lt. Gen. Michael Flynn, who reportedly has been selected by the President-elect to be his National Security Advisor.

Recent news reports have revealed that Lt. Gen. Flynn was receiving classified briefings during the presidential campaign while his consulting firm, Flynn Intel Group, Inc., was being paid to lobby the U.S. Government on behalf of a foreign government's interests.¹ Lt. Gen. Flynn's General Counsel and Principal, Robert Kelley, confirmed that they were hired by a foreign company to lobby for Turkish interests, stating: "They want to keep posted on what we all want to be informed of: the present situation, the transition between President Obama and President-Elect Trump." When asked whether the firm had been hired because of Lt. Gen. Flynn's close ties to President-elect Trump, Mr. Kelley responded, "I hope so."²

Flynn Intel Group apparently was hired by a company whose founder, Kamil Ekim Alptekin, is the Chairman of the Turkish-American Business Council, represents Turkey in the Board of the United States Nowruz Commission, and reportedly helped organize the Turkish President's 2016 visit to Washington, D.C. Mr. Ekim Alptekin has described himself as being "committed to boosting Transatlantic trade and bolstering the commercial angle of decades-long Turkish-American partnership."³

¹ *Michael Flynn, Trump's Reported Pick For National Security Adviser, Sat In On Intel Briefings—While Advising Foreign Clients*, Yahoo News (Nov. 17, 2016) (online at www.yahoo.com/news/michael-flynn-key-trump-aide-sat-in-on-intel-briefings-while-advising-foreign-clients-004512931.html).

² *Trump Adviser Linked to Turkish Lobbying*, Politico (Nov. 14, 2016) (online at www.politico.com/story/2016/11/donald-trump-turkey-lobbying-231354).

³ K. Ekim Alptekin, Linked In (online at <https://tr.linkedin.com/in/k-ekim-alptekin-6b80034>); Nowruz Commission (online at <http://nowruzcommission.org/our-history-mission->

On Election Day, November 8, 2016, Lt. Gen. Flynn published an op-ed in *The Hill* advocating on behalf of the government of Turkey, entitled: “Our Ally Turkey Is In Crisis and Needs Our Support.”⁴ In that op-ed, Lt. Gen. Flynn wrote: “The U.S. media is doing a bang-up job of reporting the Erdogan government’s crackdown on dissidents, but it’s not putting it into perspective.”⁵ He also wrote: “We need to adjust our foreign policy to recognize Turkey as a priority. We need to see the world from Turkey’s perspective.”⁶

Lt. Gen. Flynn also was paid to travel to Moscow in December 2015 and join Vladimir Putin at the head table during a dinner honoring the Kremlin-backed media network RT. During the event, Lt. Gen. Flynn gave a speech that was highly critical of the United States, stating, “The United States can’t sit there and say, ‘Russia, you’re bad.’”⁷ Lt. Gen. Flynn has stated that he was paid by his speaker’s bureau, LAI, but he has not disclosed how much he made or what entity hired LAI.⁸

Lt. Gen. Flynn’s involvement in advising Mr. Trump on matters relating to Turkey or Russia—including attending classified briefings on those matters—could violate the Trump for America, Inc. Code of Ethical Conduct, which states:

I will disqualify myself from involvement in any particular transition matter which to my knowledge may directly conflict with a financial interest of mine, my spouse, minor child, partner, client or other individual or organization with which I have a business or close personal relationship. Where there is no such direct conflict, but there may be an appearance of a conflict, I will address this issue for resolution to the TFA General Counsel. I currently have no knowledge of any such conflicts.⁹

In addition, a Memorandum of Understanding signed on November 8, 2016, by the former Chair of the Transition Team, Chris Christie, and White House Chief of Staff Denis McDonough requires that in order to obtain non-public information, including classified

and-vision/board-of-directors/).

⁴ *Our Ally Turkey Is In Crisis and Needs Our Support*, *The Hill* (Nov. 8, 2016) (online at <http://thehill.com/blogs/pundits-blog/foreign-policy/305021-our-ally-turkey-is-in-crisis-and-needs-our-support>).

⁵ *Id.*

⁶ *Id.*

⁷ *Trump Embraces Ex-Top Obama Intel Official*, *Daily Beast* (Mar. 9, 2016) (online at www.thedailybeast.com/articles/2016/03/09/donald-trump-embraces-top-obama-intel-official.html).

⁸ *Trump Advisor Michael T. Flynn on His Dinner with Putin and Why Russia Today is Just Like CNN*, *Washington Post* (Aug. 15, 2016) (online at www.washingtonpost.com/news/checkpoint/wp/2016/08/15/trump-adviser-michael-t-flynn-on-his-dinner-with-putin-and-why-russia-today-is-just-like-cnn/).

⁹ Code of Ethical Conduct, *Trump for America, Inc.* (updated Nov. 10, 2016) (online at www.politico.com/f/?id=00000158-6e3e-d204-a1f9-ffff6ed60001).

information, the Transition Team must:

Require the Transition Team member to sign a statement representing that, to the member's knowledge, he or she has no financial interest or imputed financial interest that would be directly and predictably affected by a particular matter to which the information is pertinent.¹⁰

The Memorandum of Understanding also requires the Transition Team to ensure that each member "has agreed to abide by the Transition's Code of Ethical Conduct, and has thereby represented that he or she has no conflict of interest that precludes the individual from working on the matters the individual has been assigned to work on with the EOP or relevant Department or Agency."¹¹

In order to address this issue, I request that you provide the following information by November 28, 2016:

1. a copy of Lt. Gen. Flynn's signed Trump for America, Inc., Code of Ethical Conduct;
2. a copy of any other signed statement by Lt. Gen. Flynn representing that he does not have a financial conflicts of interest provided either to the campaign or to the Transition Team;
3. a copy of any information provided by Lt. Gen Flynn to the Transition Team in order to determine his business clients and to vet any potential financial conflicts of interest; and
4. a copy of the Memorandum of Understanding Regarding Transition Procedures, signed by you as the Designated Chair of the Team.

I appreciate your prompt attention to this serious matter.

Sincerely,



Elijah E. Cummings
Ranking Member

cc: The Honorable Jason Chaffetz

¹⁰ Memorandum of Understanding Regarding Transition Procedures, Identification of Transition Contacts, and Access to Non-public Government and Transition Information, Signed by Denis R. McDonough, Chief of Staff to the President and Chris Christie, Designated Chair of the President-elect's Transition Team (Nov. 8, 2016).

¹¹ *Id.*