

Congress of the United States
Washington, DC 20515

June 19, 2017

Flynn Intel Group, LLC
c/o Robert K. Kelner, Esq.



Rear Admiral Michael W. Hewitt (Ret.)
Chairman
X-Co Dynamics Inc./IronBridge Group Inc.



Alex G. Copson
Managing Director
ACU Strategic Partners



Dear Mr. Kelner, Rear Admiral Hewitt, and Mr. Copson:

We are writing to request documents relating to the work of former National Security Advisor Michael Flynn regarding Saudi Arabia, Russia, and other countries, as well as his failure to accurately report his foreign travel and contacts in 2016 when he submitted an application to renew his security clearance and was interviewed by security clearance investigators.

First, it appears that General Flynn failed to disclose a trip he took to the Middle East in the summer of 2015 to pursue a joint U.S.-Russian business venture to develop nuclear facilities located in—and financed by—Saudi Arabia. Soon after he took this trip, Saudi Arabia announced an agreement with Russia's state nuclear corporation, Rosatom, that resulted in a \$100 billion deal in 2016 to build 16 nuclear power units. It does not appear that General Flynn disclosed this trip or any foreign contacts as part of his security clearance renewal process.

Second, General Flynn did report making a later trip to the Middle East—to Saudi Arabia in October 2015—but he omitted significant details. He reported that he traveled to Saudi Arabia with a friend for six days to speak at a conference, that he stayed at the King Khaled International Hotel, and that his expenses were paid by a “work sponsor.”

However, General Flynn failed to disclose the identity of the friend who accompanied him; officials from General Flynn's speaker's bureaus could not identify any conference he may

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have attended during this time period; there does not appear to be a hotel with the name General Flynn provided; and General Flynn failed to disclose who sponsored his trip.

Most troubling of all, we have no record of General Flynn identifying on his security clearance renewal application—or during his interview with security clearance investigators—even a single foreign government official he had contact with in the seven years prior to submitting his security clearance application.

General Flynn's Trip to the Middle East in the Summer of 2015

On June 9, 2017, *Newsweek* reported that General Flynn traveled to the Middle East in “the summer of 2015” on behalf of X-Co Dynamics Inc./IronBridge Group to promote a joint U.S.-Russian, Saudi-financed program to provide nuclear power to the Arab world.¹

The article reported that “the genius idea developed by Flynn and Co. was a U.S.-Russian partnership to build and operate plants and export the dangerous spent fuel under strict controls.” Based on an internal memo from ACU Strategic Partners, which reportedly was one of the lead companies involved, the plan would be “funded entirely by Saudi Arabia and other Gulf countries,” and the Saudis would recoup their costs by selling energy to Egypt, Jordan, Yemen, Kuwait, Bahrain, Oman, the United Arab Emirates, and Qatar.²

According to an email from ACU's chief economist, the consortium of Arab countries would then purchase “Russian military hardware.” These purchases by the consortium would substitute for profits that Russia otherwise would have derived from “Russian military sales to Iran.” In promoting this consortium, Mr. Copson, as the head of ACU, also reportedly touted connections to General Flynn and then-Senator Jeff Sessions, who served as the Trump campaign's top foreign policy advisor.³

In contrast to this report, we have no record of General Flynn reporting this trip or any contacts with foreign officials on his security clearance renewal application or in his interview with security clearance investigators.

General Flynn submitted his application for a five-year security clearance reinvestigation in January 2016. That application, Standard Form 86 (SF-86), explains: “All questions on this form must be answered completely and truthfully.” It also warns applicants: “The U.S. Criminal Code (title 18, section 1001) provides that knowingly falsifying or concealing a material fact is a felony which may result in fines and/or up to five (5) years imprisonment.”

¹ *Michael Flynn, Russia and a Grand Scheme to Build Nuclear Power Plants in Saudi Arabia and the Arab World*, *Newsweek* (June 9, 2017) (online at www.newsweek.com/flynn-russia-nuclear-energy-middle-east-iran-saudi-arabia-qatar-israel-donald-623396).

² *Id.*

³ *Id.*

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The application requires applicants to disclose a wide range of foreign travel and foreign contacts over the past seven years. For example, it asks each applicant if he or she “had any contact with a foreign government ... or its representatives,” “provided advice or support to any individual associated with a foreign business or other foreign organization,” was “asked to provide advice or serve as a consultant, even informally, by any foreign government official or agency,” was asked by a foreign national “to work as a consultant,” or “participated in any conferences, trade shows, or meetings outside the U.S.”

If this press report is accurate, General Flynn’s failure to report this trip and any contacts with foreign government officials about this Saudi-Russian nuclear proposal appears to be a potential violation of 18 U.S.C. § 1001.

General Flynn’s Testimony Before the House Committee on Foreign Affairs

It is unclear precisely when during the summer of 2015 that General Flynn traveled to the Middle East, or whether he may have taken multiple trips that he failed to disclose.

According to a financial disclosure form that General Flynn submitted after he was fired as National Security Advisor, he did not begin advising X-Co Dynamics Inc./IronBridge Group until August 2015.⁴

However, General Flynn testified on June 10, 2015, before the House Committee on Foreign Affairs’ Subcommittee on the Middle East and North Africa that he had taken an extensive trip to the Middle East prior to his testimony—and therefore well before August 2015. General Flynn testified:

I just came from a trip—fairly extensive trip to the Middle East and this was one of the big issues that came up. And they’re already talking—I mean, you had the Crown Prince of Saudi already in Korea, already talking to the French about nuclear development.⁵

He also testified:

[T]here’s specific numbers of Saudi, Jordan, the UAE, Kuwait and Egypt already talking to the Russians and the Chinese about developing nuclear capabilities in their countries, it’s a very real issue.⁶

In his written testimony, he warned:

⁴ Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e), Michael Flynn (Mar. 31, 2017) (online at www.politico.com/f/?id=0000015b-2aa9-d874-addf-3aa9e97e0000).

⁵ House Committee on Foreign Affairs Subcommittee on Middle East and North Africa, *Hearing on Iran's Missile Defense Capabilities*, 114th Cong. (June 10, 2015) (online at <https://foreignaffairs.house.gov/hearing/subcommittee-hearing-irans-enduring-ballistic-missile-threat/>).

⁶ *Id.*

The perceived acceptance of Iran's nuclear program is likely to touch off a dangerous domino effect in the region, as other countries, such as the Kingdom of Saudi Arabia, look for strategic counterweights to the emerging Iranian bomb, already manifesting in fairly open KSA outreach to Pakistan for nuclear capability.⁷

Finally, he testified:

Saudi Arabia has been openly planning on acquiring South Korean, French, and Japanese reactors ostensibly to power desalinization plants. Beyond their well-documented relationship with Pakistan, their options are as diverse as their portfolios. And who can question their will or their reasons?⁸

About one week after his testimony, on June 18, 2015, Saudi Arabia and Russia's state nuclear corporation, Rosatom, signed an agreement to cooperate on nuclear energy development.⁹ On September 5, 2016, Rosatom announced its plans to build 16 nuclear power units in Saudi Arabia for approximately \$100 billion.¹⁰

General Flynn submitted a signed Truth in Testimony form to the Committee on Foreign Affairs claiming that he was testifying on behalf of the Flynn Intel Group.¹¹ He reported that neither he nor his organization had received any payments from a foreign government related to the subject of the hearing or his representational capacity at the hearing.¹²

General Flynn's Trip to Saudi Arabia in October 2015

General Flynn did report a later trip to the Middle East on his security clearance renewal application—to Saudi Arabia in October 2015—four months after he testified before the Committee on Foreign Affairs. However, General Flynn omitted key details regarding this trip. General Flynn provided the following information on his security clearance renewal application:

⁷ *Id.*

⁸ *Id.*

⁹ *Saudi Arabia, Russia Sign Nuclear Power Cooperation Deal*, Reuters (June 19, 2015) (online at <http://uk.reuters.com/article/uk-saudi-russia-nuclear-idUKKBN0OZ10R20150619>).

¹⁰ *Russia's Rosatom Says Ready To Build 16 Saudi Nuclear Power Stations*, Arabian Business (Sept. 5, 2016) (online at www.arabianbusiness.com/russia-s-rosatom-says-ready-build-16-saudi-nuclear-power-stations-644543.html).

¹¹ House Committee on Foreign Affairs Subcommittee on Middle East and North Africa, "Truth in Testimony" Disclosure Form (June 10, 2015) (online at <http://docs.house.gov/meetings/FA/FA13/20150610/103582/HHRG-114-FA13-TTF-FlynnM-20150610.pdf>).

¹² *Id.*

Provide the country visited.	Provide the dates of your travel to this country. From Date To Date (Month/Year) (Month/Year)	Provide the total number of days involved in the visit.
Saudi Arabia	10/2015 10/2015	<input type="checkbox"/> 1-5 <input type="checkbox"/> 11-20 <input type="checkbox"/> More than 30 <input checked="" type="checkbox"/> 6-10 <input type="checkbox"/> 21-30 <input type="checkbox"/> Many short trips
Provide the purpose of the travel to this country (Check all that apply).		
<input checked="" type="checkbox"/> Business/ Professional conference <input type="checkbox"/> Volunteer activities		
<input type="checkbox"/> Education <input type="checkbox"/> Trade shows, conferences, and seminars <input type="checkbox"/> Tourism <input type="checkbox"/> Visit family or friends <input type="checkbox"/> Other		

Security clearance investigators subsequently interviewed General Flynn as part of his security clearance renewal process, and they issued a Report of Investigation, which stated:

In October of 2015 HE visited Saudi Arabia with a friend, who is a US citizen, for six days. The purpose of the trip was to speak at a conference. As a business owner, HE is working on developing business with another country. HE stayed at the King Khaled International Hotel.

The report also said General Flynn stated that a “work sponsor” paid his expenses.

Unfortunately, General Flynn did not disclose to security clearance investigators what type of “business” he had in Saudi Arabia, who his U.S. citizen “friend” was who accompanied him, what “conference” he attended, or which “work sponsor” paid for his expenses. Our staff contacted three speakers’ bureaus General Flynn was affiliated with—Leading Authorities, Inc., Premiere Speakers’ Bureau, and Washington Speakers’ Bureau—and none reported any involvement with General Flynn’s trip to Saudi Arabia or any conference there. In addition, there does not appear to be any King Khaled International Hotel in Saudi Arabia, although this name is similar to the name of the airport in Riyadh.

Finally, on January 27, 2016—just days after submitting his security clearance renewal application—General Flynn gave a public lecture during which he claimed: “I’ve talked to many of these leaders there, you know, over the last few years, certainly over the last decade, if not the last, probably, six months.”¹³ With respect to officials in Saudi Arabia, General Flynn stated: “I’m actually talking to a lot of folks in that country.”¹⁴ Yet, General Flynn failed to disclose any of these contacts with Saudi or other foreign officials on his security clearance application or during his interview with security clearance investigators, which could constitute further violations of 18 U.S.C. § 1001.

¹³ Lt. General Michael Flynn (ret.), *Predictions for an Increasingly Volatile Middle East*, Endowment for Middle East Truth (Jan. 21, 2016) (online at www.youtube.com/watch?v=sTaU913IS6k).

¹⁴ *Q&A with LTG Michael Flynn, “Predictions for an Increasingly Volatile Middle East,”* Endowment for Middle East Truth (Jan. 21, 2016) (online at www.youtube.com/watch?v=_fhZLtSWzsk).

Request for Documents

The scope of General Flynn's unreported foreign contacts and foreign financial interests is unclear from the time he left the Defense Intelligence Agency in 2014 until President Trump appointed him as National Security Advisor in 2017. It is also unclear what influence General Flynn's business interests with Saudi Arabia, Russia, or other countries may have had after he assumed his post in the White House.

For example, Saudi Arabia was the first foreign country that President Trump visited,¹⁵ the Trump Administration recently concluded an arms deal with Saudi Arabia reportedly worth \$350 billion over ten years,¹⁶ and the President's hotel in Washington D.C. received approximately \$270,000 in payments linked to Saudi Arabia while that country has continued to press for limiting the rights of U.S. citizens to sue the Saudi government.¹⁷ It is unknown what advice or input General Flynn may have offered relating to these matters, if any. For these reasons, we request that you produce, by June 30, 2017:

1. all documents and communications referring or relating to any relationship between X-Co Dynamics Inc./IronBridge Group and General Flynn or the Flynn Intel Group, or to any relationship between ACU Strategic Partners and General Flynn or the Flynn Intel Group;
2. all documents and communications referring or relating to any advisory or consulting relationship between X-Co Dynamics Inc./IronBridge Group and General Flynn or the Flynn Intel Group, or between ACU Strategic Partners and General Flynn or the Flynn Intel Group, including all bids, pitches, contracts, agreements, invoices, and billings;
3. all documents and communications in the possession of X-Co Dynamic Inc./IronBridge Group or ACU Strategic Partners mentioning, copying, involving, referring, or relating to General Flynn or any member of the Flynn Intel Group;
4. all documents and communications referring or relating to work done or travel by General Flynn, the Flynn Intel Group, its subcontractors, or its affiliates on behalf of X-Co Dynamics Inc./IronBridge Group or ACU Strategic Partners, including

¹⁵ *President Trump's First Foreign Trip Will Include Red-Carpet Welcome in Saudi Arabia*, NPR (May 17, 2017) (online at www.npr.org/sections/parallels/2017/05/17/528778789/trumps-first-foreign-trip-a-red-carpet-welcome-in-a-muslim-land).

¹⁶ *US-Saudi Arabia Seal Weapons Deal Worth Nearly \$110 Billion Immediately, \$350 Billion Over 10 Years*, CNBC (May 20, 2017) (online at www.cnbc.com/2017/05/20/us-saudi-arabia-seal-weapons-deal-worth-nearly-110-billion-as-trump-begins-visit.html).

¹⁷ *Trump Hotel Received \$270,000 From Lobbying Campaign Tied to Saudis*, Wall Street Journal (June 6, 2017) (online at www.wsj.com/articles/trump-hotel-received-270-000-from-lobbying-campaign-tied-to-saudis-1496700739).

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any draft or final deliverables, reports, analyses, memoranda, letters, emails, pitches, video recordings, audio recordings, financial records, flight itineraries, and hotel reservations;

5. all business records in the possession of Flynn Intel Group referring or relating to General Flynn's foreign travel, including financial records, contracts, flight itineraries, hotel reservations, and communications; and
6. all documents and communications reflecting payments from X-Co Dynamic Inc./IronBridge Group or ACU Strategic Partners to General Flynn or Flynn Intel Group, including bills, contracts, reimbursements for travel, pay stubs, cancelled checks, and financial records.

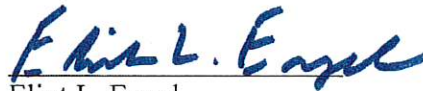
If you have any questions about this request, please contact Janet Kim of the Oversight and Government Reform Committee staff at (202) 225-5051 or Mark Iozzi of the Foreign Affairs Committee staff at (202) 226-8467.

Thank you for your prompt attention to this matter.

Sincerely,



Elijah E. Cummings
Ranking Member
Committee on Oversight and
Government Reform



Eliot L. Engel
Ranking Member
Committee on Foreign Affairs

cc: The Honorable Trey Gowdy
Chairman, Committee on Oversight and Government Reform

The Honorable Ed Royce
Chairman, Committee on Foreign Affairs