

Congress of the United States
Washington, DC 20515

September 12, 2017

Alex G. Copson
Managing Director
X-Co Dynamics Inc./ACU Strategic Partners
[REDACTED]

Rear Admiral Michael W. Hewitt (Ret.)
Chairman
X-Co Dynamics Inc./IronBridge Group Inc./IP3
[REDACTED]

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

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

On June 19, 2017, we wrote to request information about a press report that retired Lt. General Michael Flynn, former National Security Advisor to President Donald Trump, failed to disclose a trip he made to the Middle East in 2015 on behalf of your companies to promote a joint U.S.-Russian, Saudi-financed program to build nuclear reactors in the Arab world. Based on this account, “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.”¹

General Flynn did not disclose this trip or any contacts he had with foreign government officials or foreign business associates as part of his security clearance renewal application in 2016.²

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 Letter from Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, and Ranking Member Eliot L. Engel, House Committee on Foreign Affairs, to Flynn Intel Group et al. (June 19, 2017) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/EEC%20Engel%20to%20Flynn%20Intel%20Group%20et%20al.pdf>).

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We are writing today to thank you for your responses and to request additional information about new concerns that your responses raise.

First, your responses provide multiple independent confirmations that General Flynn traveled to the Middle East to meet with foreign government officials and foreign business associates in June 2015 to promote this U.S.-Russian nuclear power project.

Based on your responses, it appears that General Flynn violated federal law by omitting this trip and these foreign contacts from his security clearance renewal application in 2016 and concealing them from security clearance investigators who interviewed him as part of the background check process.

Since these violations carry criminal penalties of up to five years in prison, we are providing your responses to Special Counsel Robert Mueller. We now request copies of all documents in your possession or control relating to any communications General Flynn had with foreign government officials or other foreign individuals at any time regarding this project.

Second, your responses raise significant questions about whether General Flynn continued to communicate with you and others about this project after the presidential election, after Donald Trump was sworn in as president, and after General Flynn assumed the post of National Security Advisor—without disclosing his foreign travel or contacts.

Your responses suggest that you and other officials at your companies continue to strongly believe in the desirability of this project and that you may have discussed it with Trump Administration officials during and after General Flynn's tenure at the White House.

The American people deserve to know whether General Flynn was secretly promoting the private interests of these businesses while he was a campaign advisor, a transition official, or President Trump's National Security Advisor.

For these reasons, we now request all communications that you and other officials at your companies had with General Flynn or other Trump Administration officials during the presidential campaign, during the transition, during General Flynn's tenure as National Security Advisor, or after General Flynn's departure from the White House. We also request that you participate in transcribed interviews with Committee staff.

The rest of this letter provides additional details about these concerns.

Response from Dr. Thomas Cochran, ACU Strategic Partners

On June 22, 2017, Dr. Thomas Cochran of ACU Strategic Partners responded to our letter by providing a first-hand description of General Flynn's involvement with this project.

Dr. Cochran confirmed that General Flynn traveled to Egypt and Israel in June 2015, and Dr. Cochran wrote that he personally joined General Flynn for the Israeli portion of the trip. He indicated that General Flynn met with Egyptian and Israeli government officials to promote this project. He wrote:

As significant background information, you should know that prior to General Michael Flynn's trip to the Middle East in June 2015, Russia had expressed interest in financing and constructing four reactors in Egypt and two in Jordan. Because General Flynn firmly believed in the necessity of the project from a US national security perspective, he traveled to Egypt and Israel to explain the ACU project's importance.

In Egypt, a primary purpose of his meetings was to convince the government *at least to postpone accepting the Russian offer* to finance and build four reactors in order to carefully consider the ACU alternative. ...

I joined General Flynn in Israel. The primary purpose of the Israeli leg of the trip was to ensure that the ACU project architecture would be in the best interests of Israel.³

Dr. Cochran did not address why General Flynn omitted all of this information from his security clearance renewal application in 2016 or concealed it from background check investigators who interviewed him as part of that process.

Dr. Cochran made clear that he and his colleagues have been working extensively for some time on this project—not only communicating with foreign government officials, but also working with foreign business entities. He wrote:

To deliver the new Middle East electricity authority—which is expected to be fully funded by the Gulf Arab states—ACU has organized a substantial ready-to-go international consortium of leading US, French, Dutch, Russian, Gulf Arab, British, Ukrainian and Israeli industrial companies. The consortium members have been designated to build, operate and secure in the region 40 proliferation-proof nuclear power

³ Letter from Thomas B. Cochran, ACU Strategic Partners, to Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, and Ranking Member Eliot L. Engel, House Committee on Foreign Affairs (June 22, 2017) (emphasis in original) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Response%20from%20Cochran%20%28ACU%29%2006-22-2017.pdf>).

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reactors, a high-voltage electric grid, and a fuel in/spent fuel out service—ensuring complete control over the reactors and nuclear fuel.⁴

Dr. Cochran's characterizations are consistent with other descriptions of this project's outreach to foreign businesses and officials. For example:

- One internal slide presentation promoting this project stated that “Total Regional Security” would be provided by Rosoboron, a Russian state-owned weapons exporter that is currently subject to U.S. sanctions.⁵
- Mr. Copson forwarded an email to Admiral Hewitt and General Flynn in April 2016 that stated: “recently, ACU has further scoped the potential for geopolitical stabilization of the Middle East by inviting China to participate.”⁶
- An internal strategy memorandum described the creation of “a public/private security partnership developed in concert with relevant U.S. government agencies, the host country governments, the Gulf Cooperation Council, and regional defense forces.”⁷
- Two April 2016 email chains about the project show that General Flynn, Mr. Copson, and Rear Admiral Hewitt were in communication with Major General G. Omar Al Khaldi, who was the Chief Executive Officer of Jordan's King Abdullah II Design and Development Bureau.⁸

However, in his letter to us, Dr. Cochran did not disclose the identities of any foreign government officials with whom General Flynn communicated before, during, or after his trip or

⁴ *Id.*

⁵ *ACU/X-Co/IPG: The Iron Bridge* (undated) (online at http://s.newsweek.com/sites/www.newsweek.com/files/acu_x-co_ironbridge_acu.pdf).

⁶ Email from Alex Copson, Managing Partner, ACU Strategic Partners, to Michael Hewitt et al. (Apr. 6, 2016) (forwarding email from Fred Johnson, Chief Strategist, ACU Strategic Partners) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Copson%20email%2004-06-2016.pdf>).

⁷ *ACU/International Power Generators/X-Co Dynamics, A U.S.-Based Project Providing Nuclear Power Plants, A Secure Fuel Cycle, and a Shared Security Partnership for the Middle East* (undated) (online at http://s.newsweek.com/sites/www.newsweek.com/files/acu_-_ipg_general_overview.pdf).

⁸ Email from Michael Hewitt, X-Co Dynamics, to Alex Copson et al. (Apr. 6, 2016) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Hewitt%20email%2004-06-2016.pdf>); email from Alex Copson, Managing Partner, ACU Strategic Partners, to Michael Hewitt et al. (Apr. 6, 2016) (forwarding email from Fred Johnson, Chief Strategist, ACU Strategic Partners) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Copson%20email%2004-06-2016.pdf>). See also *Major General Dr. Omar Al Khaldi Named KADDB CEO*, Al Defaiya (May 27, 2014) (online at www.defaiya.com/news/New%20Appointments/New%20Appointments/2014/05/27/major-general-dr-omar-al-khaldi-named-kaddb-ceo).

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the identities of any foreign business associates in Russia, China, or other countries with whom General Flynn was working.

Finally, Dr. Cochran made clear that he believes the proposal is an ongoing, viable project that is now part of the Trump Administration's "toolkit." He also wrote:

As the US administration now prepares for a critical meeting with President Putin, the ACU project gives President Trump and Secretary Tillerson a valuable private sector mechanism for helping stabilize and improve relations with Russia as well as helping accelerate US-Russia cooperation in the Middle East. The project provides the flexibility that Secretary Tillerson called for last week to ensure a "constructive dialogue" with Russia.⁹

Dr. Cochran did not disclose the scope of communications that he or others may have had with General Flynn about this project before or after President Trump named him as National Security Advisor, nor did Dr. Cochran disclose the identities of other transition officials or Administration officials with whom he or his associates have communicated.

Response from Alex Copson, Managing Director, ACU Strategic Partners

On June 27, 2017, Alex Copson, the Managing Director of ACU Strategic Partners, also responded to our request. According to press reports, Mr. Copson is a "British-American dealmaker" who reportedly touted connections to the Trump campaign in promoting this project—including connections with now-Attorney General Jeff Sessions.¹⁰

Like Dr. Cochran, Mr. Copson also confirmed that General Flynn took the trip to the Middle East in June 2015 that General Flynn omitted from his security clearance renewal application and concealed from background check investigators. He wrote: "As noted in Dr. Cochran's letter, General Flynn made this trip to the Middle East in June 2015."¹¹

Mr. Copson did not disclose the identities of foreign government officials with whom General Flynn communicated before, during, or after his trip. He also failed to disclose the identities of any foreign business associates involved with this project.

⁹ *Id.*

¹⁰ *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).

¹¹ Email from Alex Copson, Managing Director, ACU Strategic Partners, to Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, and Ranking Member Eliot L. Engel, House Committee on Foreign Affairs (June 27, 2017) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Response%20from%20Copson%20%28ACU%29%2006-27-2017.pdf>).

Mr. Copson did not disclose the identities of foreign government officials with whom General Flynn communicated before, during, or after his trip. He also failed to disclose the identities of any foreign business associates involved with this project.

Mr. Copson did not disclose the scope of communications that he or others may have had with General Flynn about this project before or after President Trump named him as National Security Advisor, nor did Mr. Copson disclose the identities of other transition officials or Administration employees with whom he or his associates have communicated.

However, Mr. Copson provided new information about General Flynn's compensation for the June 2015 trip. He wrote: "ACU covered his travel expenses. ACU also wrote him a check for \$25,000 to compensate him for the loss of income and business opportunities resulting from this trip."¹² Mr. Copson reported that General Flynn apparently did not cash the check for \$25,000, but did not explain why.

With respect to the payment for travel expenses, General Flynn apparently accepted those funds, but failed to publicly report them on his financial disclosure form submitted on February 11, 2017,¹³ or on the amended financial disclosure he submitted on March 31, 2017.¹⁴ It was not until his third filing on August 3, 2017, that General Flynn finally disclosed that he had been paid in excess of \$5,000 by ACU Strategic Partners.¹⁵

Response from IronBridge Group, Inc. and IP3 Corporation

On July 19, 2017, counsel for Rear Admiral Michael W. Hewitt (Ret.), who worked in partnership with ACU Strategic Partners to promote the project, and his companies, IronBridge Group, Inc. and IP3 Corporation, also confirmed that General Flynn took the June 2015 trip to promote this proposal.

Specifically, the letter conveyed that Rear Admiral Michael Hewitt, the chief executive of IronBridge and IP3, "recalls that, prior to the formation of these entities [IronBridge Group, Inc.

¹² *Id.*

¹³ Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e) for Michael Flynn (Feb. 11, 2017) (online at www.politico.com/f/?id=0000015b-2aa8-dad7-ab5f-6efd58de0001) (disclosing that Flynn was a "Board Member" and "Consultant" with "X-Co Dynamics Inc./Iron Bridge Group" between August 2015 and December 2016, but disclosing no income).

¹⁴ Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e) for Michael Flynn (Mar. 31, 2017) (online at www.politico.com/f/?id=0000015b-2aa9-d874-addf-3aa9e97e0000) (correcting earlier disclosure to read that Flynn was an "Advisor" to "X-Co Dynamics Inc./Iron Bridge Group" between August 2015 and December 2016, but disclosing no income).

¹⁵ Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e) for Michael Flynn (Aug. 3, 2017) (online at www.documentcloud.org/documents/3913715-Michael-Flynn-amended-public-financial-disclosure.html) (adding separate entries for "X-Co Dynamics Inc./ACU Strategic Partners" and "IronBridge Group Inc." and disclosing "compensation exceeding \$5000 in a year" from ACU Strategic Partners).

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and IP3 Corporation], a company called ACU sponsored a trip to Egypt and Israel with Lieutenant General Flynn and others in late 2015.”¹⁶

The response did not disclose the identities of any foreign government officials or foreign business associates with whom General Flynn communicated about the project. Instead, the response stated:

With respect to foreign contacts, our clients are not in possession of Lieutenant General Flynn’s SF-86 records. Nor were they involved in, or responsible for, the completion of those records. Accordingly, any questions regarding the accuracy of Lieutenant General Flynn’s submission should be redirected to him.¹⁷

Like the others who responded to our request, Rear Admiral Hewitt did not disclose the scope of communications that he or others may have had with General Flynn about this project before or after President Trump named him as National Security Advisor, nor did he disclose the identities of other transition officials or Administration employees with whom he or his associates have communicated.

Response from Flynn Intel Group

On June 30, 2017, attorneys for General Flynn responded to our request by refusing to provide any explanation or documents, but their response did not deny allegations that General Flynn omitted this foreign trip and these foreign contacts from his security clearance renewal application in 2016 and concealed them from background check investigators. Instead, the response stated that General Flynn was “only responding to compulsory process.”¹⁸

¹⁶ Letter from Michael J. Summersgill, Counsel to IronBridge Group and IP3 Corporation, to Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, and Ranking Member Eliot L. Engel, House Committee on Foreign Affairs (July 19, 2017) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Response%20from%20IronBridge%20IP3%2007-19-2017.pdf>).

¹⁷ *Id.*

¹⁸ Letter from Robert Kelner et al., Counsel to Flynn Intel Group, to Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, and Ranking Member Eliot L. Engel, House Committee on Foreign Affairs (June 30, 2017) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Response%20from%20Flynn%20Intel%20Group%2006-30-2017.pdf>).

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Request for Documents and Transcribed Interviews

For the reasons described above, we request that you produce, by October 4, 2017, copies of the following documents in your possession or control:

1. all documents and communications referring or relating to General Flynn's foreign travel or contacts with any foreign government official or other foreign person;
2. a list of all foreign government officials and other foreign persons you have reason to believe General Flynn communicated with, including their names and nationalities, the dates of the communications, and the subject matter discussed; and
3. all documents and communications referring or relating to General Flynn or any member of Flynn Intel Group during the 2016 presidential campaign; during the transition period, during General Flynn's tenure as National Security Advisor; and after General Flynn was fired as National Security Advisor.

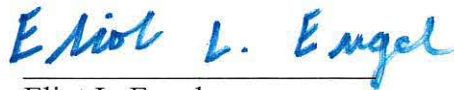
In addition, we request that Dr. Cochran, Mr. Copson, Rear Admiral Hewitt, and General Flynn appear for transcribed interviews with our Committee staffs.

To arrange the interviews, please contact Janet Kim of the Oversight 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: Special Counsel Robert Mueller
Department of Justice

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

The Honorable Ed Royce
Chairman, Committee on Foreign Affairs