

**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>

February 16, 2017

Mark D. French  
President and Chief Executive Officer  
Leading Authorities, Inc.  
1990 M Street, NW, Suite 800  
Washington, D.C. 20036

Dear Mr. French:

We are writing to request information related to Lieutenant General Michael Flynn's speaking engagements and appearances arranged through your company that may have been paid for by, or on behalf of, foreign governments or their agents in violation of the U.S. Constitution.

The Emoluments Clause of the Constitution prohibits any person "holding any Office of Profit or Trust" from accepting gifts or payments from any foreign government or agent without the consent of Congress.<sup>1</sup> The Department of Defense has made clear that this Constitutional provision applies to retired military officers, such as Lieutenant General Flynn, because they continue to hold offices of trust.<sup>2</sup> It also applies to "indirect[]" sources of payments, including payments made through intermediaries in the United States.<sup>3</sup>

Lieutenant General Flynn has publicly acknowledged that he was paid on at least one occasion to travel to Moscow and speak at a gala hosted by RT, the Kremlin-backed media outlet.<sup>4</sup> He has also stated that this paid speaking engagement was arranged through your company.<sup>5</sup>

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<sup>1</sup> U.S. Const., art. I, sec. 9, cl. 8.

<sup>2</sup> DEP'T OF DEF., SUMMARY OF EMOLUMENTS CLAUSE RESTRICTIONS (2012), *available at* [http://www.dod.mil/dodgc/defense\\_ethics/resource\\_library/summary\\_emoluments\\_clause\\_restrictions.pdf](http://www.dod.mil/dodgc/defense_ethics/resource_library/summary_emoluments_clause_restrictions.pdf).

<sup>3</sup> DEP'T OF DEF., APPLICATION OF THE EMOLUMENTS CLAUSE TO DoD CIVILIAN EMPLOYEES AND MILITARY PERSONNEL (2013), *available at* [http://www.dod.mil/dodgc/defense\\_ethics/resource\\_library/emoluments\\_clause\\_applications.pdf](http://www.dod.mil/dodgc/defense_ethics/resource_library/emoluments_clause_applications.pdf).

<sup>4</sup> *Top Trump Adviser Defends Payment for Russian Speaking Engagement*, YAHOO! NEWS, July 18, 2016, <https://www.yahoo.com/news/trump-supporter-defends-payment-russian-175611942.html>.

<sup>5</sup> Dana Priest, *Trump Advisor Michael T. Flynn on His Dinner with Putin and Why Russia Today Is Just Like CNN*, WASH. POST, Aug. 15, 2016, *available at* <http://www.washingtonpost.com/news/checkpoint/wp/2016/08/15/trump-adviser-michael-t-flynn-on-his-dinner->

We are attempting to determine the amount Lieutenant General Flynn received for his appearance, the source of the funding, and whether he may have received payments from any other foreign sources for additional engagements.

On February 14, 2017, the Secretary of the Army informed our Committee that after a “thorough records search,” the Department “has not found any documents” indicating that Lieutenant General Flynn requested permission for his speaking engagement with RT in December 2015 or reported the payments he received, as required by Defense Department regulations to comply with the Constitution.<sup>6</sup>

To assist the Committee’s investigation of this matter, please provide the following documents and information as soon as possible, but no later than March 2, 2017:

1. all documents and communications relating to Lieutenant General Flynn’s appearance at the event in Moscow in December 2015, including who or what entity requested Lieutenant General Flynn, who or what entity paid for Lieutenant General Flynn’s appearance, any negotiations relating to Lieutenant General Flynn’s compensation, and the compensation paid to Lieutenant General Flynn and your company for his appearance, travel, lodging, and other expenses;
2. all documents and communications relating to any other speaking engagements or appearances made by Lieutenant General Flynn in connection with RT, any agent or affiliate of RT, or any agent or instrumentality of the Russian government;
3. a list of all speaking engagements or appearances made by Lieutenant General Flynn, including the amounts of payment and sources of funding to your company and Lieutenant General Flynn for those speaking engagements; and
4. Lieutenant General Flynn’s engagement contract with Leading Authorities, Inc.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at “any time” investigate “any matter” as set forth in House Rule X.

Please deliver your responses to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building. The Committee prefers to receive all documents in electronic format. An attachment to this letter provides additional instructions for responding to the Committee’s requests. Please note that Committee Rule 16(b) requires counsel representing an individual or entity before the

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with-putin-and-why-russia-today-is-just-like-cnn/.

<sup>6</sup> Letter from Acting Secretary Robert M. Speer, Department of the Army, to Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, et al. (Feb. 14, 2017).

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Committee or any of its subcommittees, whether in connection with a request, subpoena, or testimony, promptly submit the attached notice of appearance to the Committee.

Please have your staff contact Jack Thorlin of the Majority staff at (202) 225-5074, or Sean Perryman of the Minority staff at (202) 225-5051 with any question about this request. Thank you for your prompt attention to this matter.

Sincerely,



Jason Chaffetz  
Chairman



Elijah E. Cummings  
Ranking Member

Enclosure



SECRETARY OF THE ARMY  
WASHINGTON  
FEB 14 2017

The Honorable Elijah E. Cummings  
Ranking Member  
Committee on Oversight and Government Reform  
United States House of Representatives  
Washington, DC 20515

Dear Representative Cummings:

Secretary of Defense James Mattis asked me to respond on his behalf to your February 1, 2017 letter requesting documents pertaining to a possible violation of the Emoluments Clause by retired Lieutenant General Michael Flynn.

Based on a request from the Office of the Secretary of Defense, the Department of the Army has conducted a thorough records search, and has not found any documents responsive to your request.

Thank you for your inquiry into this matter, and for your continued support of our Army.

Sincerely,

A handwritten signature in black ink that reads "Robert M. Speer". The signature is written in a cursive style with a large, prominent "S" at the end.

Robert M. Speer  
Acting

Copy furnished:  
The Honorable Jason Chaffetz  
Chairman