

March 8, 2018

**BY FAX**

The Honorable Mike Conaway, Chair  
The Honorable Adam Schiff, Ranking Member  
House Permanent Select Committee on Intelligence  
Capitol Visitor Center HVC-304  
U.S. Capitol  
Washington, DC 20515-6415

**Re: Referral of Erik Prince for Potential False Statements Violations**

Campaign for Accountability (“CfA”) respectfully suggests that the House Permanent Select Committee on Intelligence (“HPSCI”) refer Erik Prince to the Department of Justice for investigation into whether Mr. Prince may have provided false testimony to the committee regarding his January 11, 2017 meeting in the Seychelles.

**Background**

On March 7, 2018, the *New York Times* reported that George Nader, an adviser to the United Arab Emirates attended a January 17, 2017 meeting convened by U.A.E. Crown Prince Mohammed bin Zayed Al-Nahyan in the Seychelles, which also included Erik Prince, an informal adviser to the Trump transition as well as Kirill Dmitriev, a Russian investor close to Russian President Vladimir Putin.<sup>1</sup> Mr. Dmitriev, the *Times* noted, was described in a 2015 email by the Emirati ambassador to Moscow “as a ‘messenger’ to get information directly to Mr. Putin.”<sup>2</sup>

Mr. Nader had once worked as a consultant to Blackwater and, according to the *Times*, which sources its story to “three people familiar with the meeting,” it was Mr. Nader who introduced Mr. Prince to Mr. Dmitriev.<sup>3</sup>

Nevertheless, appearing before the House Permanent Select Committee on Intelligence on November 30, 2017 and testifying under oath, Mr. Prince offered a vastly different explanation for the Seychelles meeting. He summarized:

On or about January 11, 2017, I traveled to the Seychelles to meet with some potential customers from the UAE for the logistics business of which I am chairman. After the

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<sup>1</sup> Mark Mazzetti, David D. Kirkpatrick, and Adam Goldman, Adviser to U.A.E. is Cooperating in Mueller’s Inquiry into Russia, *New York Times*, March 6, 2018, available at <https://www.nytimes.com/2018/03/06/us/politics/george-nader-special-counsel-mueller-cooperating-seychelles.html>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

meeting they mentioned a guy I should meet who was also in town to see them, a Kirill Dmitriev from Russia, who ran some sort of hedge fund. I met him in the hotel bar, and we chatted on topics ranging from oil and commodity prices to how much his country wished for resumption of normal trade relations with the – relationship with the USA. I remember telling him that if Franklin Roosevelt could work with Josef Stalin to defeat Nazi fascism, then certainly Donald Trump could work with Vladimir Putin to defeat Islamic fascism.

The meeting ended after a maximum of 30 minutes. I've had no communications or dealing with him or any of his colleagues before or after that encounter last January.

That's really all there is to say about that meeting.<sup>4</sup>

In response to a question from Rep. Thomas J. Rooney, as to whether Mr. Prince had any formal role in the Trump campaign or whether he was acting on his own, Mr. Prince replied that he was acting “on my own.”<sup>5</sup>

When asked if he was under the impression that Mr. Dmitriev was representing the Russian government, Mr. Prince stated that he “just knew he was a Russian fund manager. I didn't know what level of ownership or control of the Russian Government or private investors there was in Russia.”<sup>6</sup>

In response to Rep. Rooney's question “was the point of that meeting for you to represent the Trump campaign or Mr. Trump in any way?” Mr. Prince replied, “No.”<sup>7</sup> Pressing the point, Rep. Rooney asked if Mr. Prince met with Mr. Dmitriev in his “own capacity, for your business.” Mr. Prince said the Emiratis told him there was an “interesting guy from Russia you should meet if you have any business in the commodity space, which I do. I look at minerals and oil and gas. He said, you should meet him. So I met him in the bar and had a drink.”<sup>8</sup>

Rep. Rooney queried: “So this notion that you were there representing the Trump campaign is not true.” Mr. Prince replied, “That is correct.”<sup>9</sup>

Rep. Adam Schiff then attempted to ascertain who attended the meeting with the Emirati. Mr. Prince described attendees as “various brothers and entourage people were moving in and out of the group.”<sup>10</sup> Rep. Schiff also inquired as to who suggested Mr. Prince meet with the Russian banker, to which Mr. Prince replied, “I don't remember.” The two continued:

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<sup>4</sup> House Permanent Select Committee on Intelligence, Testimony of Erik Prince, p. 7, November 30, 2017, available at <http://docs.house.gov/meetings/IG/IG00/20171130/106661/HHRG-115-IG00-Transcript-20171130.pdf>.

<sup>5</sup> *Id.* at 6.

<sup>6</sup> *Id.*, at 7-8.

<sup>7</sup> *Id.* at 8.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 27.

Schiff: You don't know whether it was the Prince or someone in the delegation?

Prince: No, I think it was one of his brothers. But it wasn't Sheikh Mohammed.

Schiff: One of his brothers?

Prince: Correct.

Schiff: And --

Prince. I think so. I don't know. But, I mean, it was not a -- it was not a formal introduction. It was a, "Hey, while you're out here, it'd be interesting for you to meet this guy." That's all.<sup>11</sup>

Rep. Schiff asked if the unnamed brother escorted Mr. Prince to meet the Russian banker, and when Mr. Prince said he had not, Rep. Schiff asked who had introduced the two or how Mr. Prince had found Mr. Dmitriev.<sup>12</sup>

Mr. Prince explained he had found Mr. Dmitriev by "Googling his name," and that he "found a picture and found the guy that looked like the picture."<sup>13</sup> Asked if Mr. Dmitriev was alone at the bar, Mr. Prince responded, "I think his wife was there."<sup>14</sup>

Mr. Prince claimed the two discussed "trade matters and how the United States and Russia should be working together to defeat Islamic terrorism," as well as about the price of oil and other commodities.<sup>15</sup> He denied having any discussion whatsoever concerning U.S. sanctions on Russia and said that Mr. Dmitriev did not express interest in doing business with Prince or any of his acquaintances or express a desire to have a relationship with the Trump administration, or even a channel of communication between the U.S. and Russia.<sup>16</sup>

Under questioning by Rep. Eric Swalwell, Mr. Prince asserted that despite having prepared policy memos for the campaign, visited Trump Tower several times, made significant donations to the campaign, and having had numerous conversations with Steve Bannon about the campaign, he had neither an official or unofficial role in the campaign or transition, but was only "someone who cares about their country."<sup>17</sup>

In response to further questioning by Rep. Schiff, Mr. Prince also claimed that a *Washington Post* article reporting that the U.A.E. had arranged a secret meeting between Mr. Prince and a Russian close to President Putin "as part of an apparent effort to establish a back-channel line of communication between Moscow and President-elect Donald Trump"<sup>18</sup> was

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<sup>11</sup> *Id.* at 31.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.* at 35.

<sup>14</sup> *Id.* at 36.

<sup>15</sup> *Id.* at 36-37.

<sup>16</sup> *Id.* at 38-39.

<sup>17</sup> *Id.* at 92-93.

<sup>18</sup> Adam Entous, Greg Miller, Kevin Sieff and Karen DeYoung, [Blackwater Founder Held Secret Seychelles Meeting to Establish Trump-Putin Back Channel](#), *Washington Post*, April 3, 2017, available at

untrue. Specifically, Mr. Prince said it was “not true” that he had asked Crown Prince Zayed to set up a meeting with a Putin associate, and called it a “fabrication” that the Seychelles had been appointed the meeting place because of the privacy it afforded.<sup>19</sup>

Rep. Schiff and Mr. Prince then engaged in the following colloquy:

Schiff: He wanted to be helpful, one official said of Zayed.

Prince: Who wanted to be – who is this unnamed official reading unmasked transcripts?

Schiff: Well, I’m asking --

Prince: Or surmising.

Schiff: I mean, you’re saying none of this is true, right? So presumably it wouldn’t be transcripts, would it? You never had these conversations, did you?

Prince: Nope.

Schiff: So, then, presumably there wouldn’t be a transcript, right?

Prince: Not a transcript. But I can’t imagine who the anonymous fabricator of this story is.<sup>20</sup>

### **Legal Violation**

As you know, it is a federal crime to make a materially false, fictitious, or fraudulent statement or representation in response to any investigation or conducted pursuant to the authority of any committee of Congress.<sup>21</sup>

In fact, before Mr. Prince’s interview began, Chairman Mike Conaway asked Mr. Prince “Do you solemnly swear or affirm that the testimony you give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?” Mr. Prince replied, “I do.”<sup>22</sup> A short while later, Chairman Conway continued, “Finally, you’re reminded that you are providing testimony under oath and that it is unlawful to deliberately provide false information to Members of Congress or staff.”<sup>23</sup>

Based on the reporting, it seems apparent Mr. Prince may have provided false testimony to Congress. First, Mr. Prince repeatedly claimed his meeting with Mr. Dmitriev was incidental to the true purpose of his visit, developing business from the U.A.E. In fact, the meeting with Mr. Dmitriev appears to have been the primary, if not sole, reason for his trip.

In addition, Mr. Prince repeatedly refused to name the individual who suggested he meet Mr. Dmitriev, claiming alternately it was one of the crown prince’s brothers, or someone else

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[https://www.washingtonpost.com/world/national-security/blackwater-founder-held-secret-seychelles-meeting-to-establish-trump-putin-back-channel/2017/04/03/95908a08-1648-11e7-ada0-1489b735b3a3\\_story.html](https://www.washingtonpost.com/world/national-security/blackwater-founder-held-secret-seychelles-meeting-to-establish-trump-putin-back-channel/2017/04/03/95908a08-1648-11e7-ada0-1489b735b3a3_story.html).

<sup>19</sup> Prince Transcript at 96.

<sup>20</sup> *Id.* at 97.

<sup>21</sup> 18 U.S.C. § 1001.

<sup>22</sup> Prince Transcript at 2.

<sup>23</sup> *Id.* at 4.

unknown to him. Mr. Prince also asserted that he met Mr. Dmitriev by simply wandering over to the bar of the hotel and finding him sometime after dinner – at no set time – and that no one introduced them. Rather, he claims, he identified Mr. Dmitriev on his own after locating a photograph of the man on Google. And, his story goes, the two men sat down for a casual conversation over a beer, lasting between 20 and 30 minutes, with no one else present, save perhaps Mr. Dmitriev’s wife, who may have been there for part of the conversation.

In truth, however, contrary to Mr. Prince’s claims, it appears that the meeting with Mr. Dmitriev was the primary – if not sole – reason Mr. Prince travelled to the Seychelles. Further, Mr. Nader, a former consultant to Blackwater and well-known to Mr. Prince appears to have introduced the pair. Mr. Prince clearly knows Mr. Nader, as in a 2010 deposition, “Mr. Prince described Mr. Nader as a ‘business development consultant that we retained in Iraq’ because [Blackwater] was looking for contracts with the Iraqi government.”<sup>24</sup> Moreover, it appears that at the meeting, the Emirati believed Mr. Prince to be speaking for the Trump transition, a role Mr. Prince has denied.

Finally, it seems odd that Mr. Prince, who was angry about what he viewed as illegal surveillance of his meeting in the Seychelles, groused about an “unnamed official reading unmasked transcripts.” If, as he claims, the events first reported by the *Washington Post* never occurred, then how, as Rep. Schiff correctly noted, could there possibly be a transcript of a conversation that didn’t take place? It seems Mr. Prince may have slipped, though he realized his error and attempted to recover, instead referring to the “anonymous fabricator.”

Taken together, all of these statements indicate an apparent deliberate attempt to mislead the committee about the truth of what transpired in the Seychelles on January 17, 2017, in violation of the prohibition against making false statements to Congress.

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<sup>24</sup> Mark Mazzetti, David. D. Kirkpatrick and Maggie Haberman, Mueller’s Focus on Adviser to Emirates Suggests Broader Investigation, *New York Times*, March 3, 2018, available at <https://www.nytimes.com/2018/03/03/us/politics/george-nader-mueller-investigation-united-arab-emirates.html>.

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### **Conclusion**

As the HPSCI continues to investigate the role of the Russia in undermining U.S. elections and explores possible collusion by President Trump and members of his campaign and transition, it is imperative that witnesses provide true and accurate testimony. If Congress ignores what appears to be Mr. Prince's deliberate and willful attempt to mislead investigators, other witnesses similarly may not feel compelled to testify truthfully. Americans are legitimately concerned about Russian efforts to undermine our democracy. Referring Mr. Prince to the Department of Justice for investigation into whether and the extent to which he may have provided false testimony to the committee is simply the right thing to do.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan E Stevens", with a long horizontal flourish extending to the right.

Daniel E. Stevens  
Executive Director

cc: The Honorable Rod Rosenstein  
Deputy Attorney General