

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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October 5, 2017

Jared Kushner
Senior Advisor to the President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Ivanka Trump
Advisor to the President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. Kushner and Ms. Trump:

On Monday, September 25, 2017, I sent a preservation letter after press accounts reported that you set up a private domain on a non-governmental server for email use shortly before Donald Trump was sworn in as President. Based on admissions that you were using these personal email accounts to communicate with senior White House officials and others about government business, I stated explicitly in my letter that the request to “preserve” all records meant preventing the deletion, alteration, or “relocation” of these records.¹

Later that same day, Chairman Trey Gowdy and I sent a bipartisan follow-up request seeking information about your use of personal email accounts for officials business, and the attachment to our letter made clear that these records should not be destroyed, modified, or “transferred.”²

However, on Tuesday night, *USA Today* reported that within 24 to 48 hours of receiving our letters, “President Trump’s son-in-law Jared Kushner and daughter Ivanka Trump re-routed

¹ Letter from Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Jared Kushner, Senior Advisor to the President (Sept. 25, 2017) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/2017-09-25.EEC%20to%20Kushner%20WH%20re.emails.pdf>).

² Letter from Chairman Trey Gowdy and Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Donald F. McGahn, II, Counsel to the President (Sept. 25, 2017) (online at <https://oversight.house.gov/wp-content/uploads/2017/09/2017-09-25-TG-EEC-to-McGahn-WH-Presidential-Records-Act-due-10-9.pdf>).

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their personal email accounts to computers run by the Trump Organization.”³ As this report stated:

According to internet registration records reviewed by USA TODAY and cybersecurity researchers, Kushner and his wife Ivanka Trump, who is also a senior adviser, re-routed their email accounts to a server operated by the Trump Organization on either Sept. 26 or 27, as attention from the media and lawmakers intensified.⁴

If these reports are accurate, they raise serious questions about your actions. Although there may be legitimate reasons for transferring email accounts to different servers, neither you nor anyone from the White House contacted the Committee before you took these steps, despite the fact that you had received our letters before you reportedly took these actions.

In addition, it is unclear why you would transfer these accounts to the Trump Organization, which you claimed previously to have halted all business with in order to avoid conflicts of interest. For example, on January 11, 2017, Ms. Trump issued the following statement:

When my father takes office as the 45th President of the United States of America, I will take a formal leave of absence from The Trump Organization and my eponymous apparel and accessories brand. I will no longer be involved with the management or operations of either company.⁵

Outside experts have also raised questions about “who at the Trump-owned company might have access to emails regarding White House business.”⁶

Finally, there are questions about whether any of the emails you sent or received on your private email accounts included classified or sensitive information, such as information relating to foreign leaders or the schedules of senior White House officials.

For all these reasons, I request an immediate briefing on the actions you have taken relating to your private email accounts. Based on the information we receive in this briefing, I may request documents as part of this investigation.

³ *Exclusive: Jared Kushner's Personal Email Moved to Trump Organization Computers Amid Public Scrutiny*, USA Today (Oct. 3, 2017) (online at www.usatoday.com/story/news/politics/2017/10/03/exclusive-jared-kushners-personal-email-moved-trump-organization-computers-amid-public-scrutiny/728467001/).

⁴ *Id.*

⁵ Ivanka Trump, Facebook (Jan. 11, 2017) (online at www.facebook.com/IvankaTrump/posts/10154998180397682).

⁶ *Exclusive: Jared Kushner's Personal Email Moved to Trump Organization Computers Amid Public Scrutiny*, USA Today (Oct. 3, 2017) (online at www.usatoday.com/story/news/politics/2017/10/03/exclusive-jared-kushners-personal-email-moved-trump-organization-computers-amid-public-scrutiny/728467001/).

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I also reiterate our previous requests that you preserve all documents—regardless of whether you may believe they are personal or official—in order to help determine whether you have complied with federal law, including but not limited to the Presidential and Federal Records Act Amendments of 2014, which require you to copy or forward all official records from your personal email accounts to your official email accounts within 20 days.

To be clear, I request that you preserve all documents, communications, and other data (“records”) that may be required for our oversight and investigative duties. The term “records” is broad and includes log files and metadata. For purposes of this request, “preserve” means taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, or mutation of electronic records, including emails, as well as negligent or intentional handling which would foreseeably make such records incomplete or inaccessible. Specifically, you should:

1. exercise reasonable efforts to identify and notify former employees and contractors, subcontractors, and consultants who may have access to such records that they are to be preserved;
2. exercise reasonable efforts to identify, recover, and preserve any records which have been deleted or marked for deletion but are still recoverable; and
3. if it is the routine practice of any employee or contractor to destroy or otherwise alter such records, either halt such practices or arrange for the preservation of complete and accurate duplicates or copies of such records, suitable for production, if requested.

Please contact Krista Boyd of my staff at (202) 225-9493 to arrange this briefing as soon as possible. Thank you for your cooperation with this request.

Sincerely,



Elijah E. Cummings
Ranking Member

cc: The Honorable Trey Gowdy, Chairman