

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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October 5, 2017

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, D.C. 20525

Dear Director Wray:

I am writing to request that the Federal Bureau of Investigation (FBI) conduct a security review to determine whether any classified or sensitive information was transmitted or stored on private email accounts or nongovernmental servers by senior White House officials—including but not limited to Senior Advisor to the President Jared Kushner, and Advisor to the President Ivanka Trump—as well as to determine whether any of these nongovernmental systems or private devices were or are vulnerable to attack by cyber criminals.

On September 24, 2017, *Politico* reported that Mr. Kushner and Ms. Trump have been using personal email accounts to communicate with senior White House officials and others about government business and that they set up a private family domain on a nongovernmental server for personal email use shortly before Donald Trump was sworn in as President.¹

In response to this report, Mr. Kushner's attorney admitted that Mr. Kushner sent and received official emails on his personal email account "from January through August."²

The next day, on September 25, 2017, the *New York Times* reported that at least six White House officials used private email accounts for official business.³

¹ *Kushner Used Private Email to Conduct White House Business*, *Politico* (Sept. 24, 2017) (online at www.politico.com/story/2017/09/24/jared-kushner-private-email-white-house-243071).

² *Kushner Used Personal Email Account for Government Business*, *New York Times* (Sept. 24, 2017) (online at www.nytimes.com/2017/09/24/us/politics/kushner-personal-email.html).

³ *At Least 6 White House Advisors Used Private Email Accounts*, *New York Times* (Sept. 25, 2017) (online at www.nytimes.com/2017/09/25/us/politics/private-email-trump-kushner-bannon.html).

On October 2, 2017, *Politico* reported that a third email address shared by Mr. Kushner, Ms. Trump, and their personal household staff received “[h]undreds of emails” from official White House email accounts since January.⁴ According to *Politico*:

The emails—which include nonpublic travel documents, internal schedules and some official White House materials—were in many cases sent from Ivanka Trump, her assistant Bridges Lamar and others who work with the couple in the White House. The emails to the third account were largely sent from White House accounts but occasionally came from other private accounts, one of these people said.⁵

On September 25, 2017, I sent a preservation letter after press accounts reported that Mr. Kushner and Ms. Trump set up a private domain on a non-governmental server for email use shortly before they assumed their positions at the White House. I stated explicitly in my letter that the request to “preserve” all records meant preventing the deletion, alteration, or “relocation” of these records.⁶ Later that same day, Chairman Trey Gowdy and I sent a bipartisan follow-up request seeking information about their 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.”⁷

However, on Tuesday night, *USA Today* reported that within 24 to 48 hours of receiving our letters, “Jared Kushner and Ivanka Trump moved their personal email accounts to computers run by the Trump Organization.”⁸ 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.⁹

⁴ *Hundreds of White House Emails Sent to Third Kushner Family Account*, *Politico* (Oct. 2, 2017) (online at www.politico.com/story/2017/10/02/jared-kushner-email-account-white-house-243389).

⁵ *Id.*

⁶ 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>).

⁷ 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>).

⁸ *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/).

⁹ *Id.*

According to information on GoDaddy's website, the domain IJKFamily.com was registered on December 31, 2016, using a private registration service in Arizona called Domains by Proxy.¹⁰

If these reports are accurate, they raise serious questions about the security of the private family domain and nongovernmental servers at both GoDaddy and at the Trump Organization, who may have had access to or attempted to gain access to those systems, and whether any classified or sensitive government information was transmitted through or stored on those systems. As you know, scheduling information for top White House officials, information regarding foreign leaders, and even some information in news articles can be considered classified.

The FBI has conducted counterintelligence investigations in the past to examine the use of private family domains and nongovernmental servers for official government business—most notably the review of former Secretary of State Hillary Clinton's email. The FBI explained that investigation as follows:

Our investigation looked at whether there was evidence that classified information was improperly stored or transmitted on Secretary Clinton's private email system, in violation of a federal statute (18 U.S.C. § 793) that makes it a felony to mishandle classified information either intentionally or in a grossly negligent way, or another statute (18 U.S.C. § 1924) that makes it a misdemeanor to knowingly remove classified information from appropriate systems or storage facilities. We also considered a statute (18 U.S.C. § 2071) making it illegal to willfully and unlawfully conceal, remove, or destroy a federal record.¹¹

¹⁰ GoDaddy.com, *The WHOIS Database*, (online at www.godaddy.com/whois/results.aspx?domain=ijkfamily.com&recaptchaResponse=03AJzQf7Pb20MOH5uaD8Q3NDiKDE_VTC8h7P--DtZXkA4Ijs2Mll2YI8NcRw8OXricRwtrBLr0fuyvRiu8GLtJzgJvdP2JITig_x8T3uNfcSG2lXCqrViy6V02MvKJquU0b2XfLfxdG-azWu2R4WeVEESqvul-JmfLLdzyh5k4-5ZAmsj_0c0IoDCToAw2_bo_OI82TesyUbobdtI9fyHdfxCwL4ES1Fmke4ca67Kscava957kS78oGystWSJW2_IDrTSYXOXmm5XEG3Iv4RWsRQ_Ysd-Jsl6OnHMemXSyGSXvc2TKdEYN-ooi3R8Oms_-C2RF5MsYCVgYq9mNOJpbeUcWniGLzXPoI8nKxIBbulAdE4IgYCj6xblcRj5XhG2hGaARP6DOeFJ1TNbHhCcpm57i_aunIe_N6oCaOGvbVlyVp8gYzo3_HZ8K2PdfJxvOYQ0BywkKEDtPUFA3H6XEMyWEkcrWiyAyA&isc=gdbb3963a).

¹¹ Letter from Jason V. Herring, Acting Assistant Director, Office of Congressional Affairs, Federal Bureau of Investigation, Department of Justice, to Chairman Jason Chaffetz and Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform (Aug. 16, 2016) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Herring%20to%20JEC%20%208.16.2016.pdf>).

The Honorable Christopher Wray
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I ask that the FBI conduct a similar review in this instance. Please contact Susanne Grooms of my staff at (202) 225-5051 if you have any questions. Thank you for your cooperation with this request.

Sincerely,



Elijah E. Cummings
Ranking Member

cc: The Honorable Trey Gowdy, Chairman