

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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<http://oversight.house.gov>

October 5, 2017

Donald Trump Jr.
Executive Vice President
The Trump Organization
725 Fifth Avenue
New York, NY 10022

Dear Mr. Trump:

I am writing to request that you preserve all records and data relating to any email accounts, domains, servers, or other interactions between your company and your sister, Advisor to the President Ivanka Trump, and your brother-in-law, Senior Advisor to the President Jared Kushner, as well as their representatives, or any other members of the Trump Administration.

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

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*:

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).

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).

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, “President Trump’s son-in-law Jared Kushner and daughter Ivanka Trump re-routed 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

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.

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.*

In addition, it is unclear why the Trump Organization would agree to host the email accounts of Ms. Trump and Mr. Kushner when Ms. Trump publicly committed to halting all business with the company in order to avoid conflicts of interest. For example, on January 22, 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.¹⁰

For these reasons, I request that the Trump Organization 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.

In addition, we request that you provide a briefing by October 10, 2017, to address the following questions:

1. Were email accounts associated with Ms. Trump, Mr. Kushner, or others transferred from GoDaddy Inc. to the Trump Organization? If so, when did this occur, why was it done, and who was involved?
2. What actions have been taken over the past year relating to transferring, "porting," or re-routing data relating to these systems and accounts?
3. What is the location, make, and model of the Trump Organization servers in

¹⁰ Ivanka Trump, Facebook (Jan. 11, 2017) (online at www.facebook.com/IvankaTrump/posts/10154998180397682).

which these systems or accounts are or were hosted?

4. What is the retention policy for the email accounts associated with these systems and accounts?
5. What is the length of time that these servers retain and overwrite data including but not limited to emails, documents, files, metadata, and databases?
6. What security features are, or any point were, installed on server hardware, software, and firmware that supports or supported these systems and accounts?
7. What is the network security history of these servers?
8. Which individuals or entities had or have physical or virtual access to these systems and accounts?
9. What is the history of security options and features that are, or any point were, active or inactive on these systems and accounts?
10. What are the security features on the network that detect and log irregular or abnormal activity?
11. How does the network monitor and record credential histories and notify users, security officials, or network administrators of irregular or abnormal activity?
12. What steps have been taken to protect against potential conflicts of interest that could arise from Ms. Trump and Mr. Kushner using the Trump Organization to host their email accounts?

Please contact Susanne Grooms of my staff at (202) 225-5051 to arrange the 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