

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

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<http://oversight.house.gov>

October 18, 2017

Bruce Hoernecke
Chief Executive Officer
BBH Solutions
121 East 24th Street
New York, NY 10010

Dear Mr. Smith:

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 Senior Advisor to the President Jared Kushner, Advisor to the President Ivanka Trump, 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 senior White House officials, including the former Chief of Staff and the former Chief White House Strategist, had 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

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).

On October 3, 2017, *USA Today* reported that “Jared Kushner and Ivanka Trump moved their personal email accounts to computers run by the Trump Organization.”⁵ 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.⁶

It has been reported that BBH Solutions provides IT services to the Trump Organization.⁷

If reports about these email accounts are accurate, they raise serious questions about the security of the private family domain and nongovernmental servers at BBH Solutions and 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. Scheduling information for top White House officials, information regarding foreign leaders, and even some information in news articles can be considered classified.

I request that you preserve all records and copies of records in your custody or control and that you provide the information requested below. Your actions in response to the preservation request and the information you provide in response to this letter will help determine the next steps in this investigation.

This letter requests that you preserve all documents, communications, and other data (“records”) that may be required for this Committee’s 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;

⁵ *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/).

⁶ *Id.*

⁷ *Ivanka Trump, Jared Kushner Have Secret Email Account Hosted by Trump Organization*, *Newsweek* (Oct. 3, 2017) (online at www.newsweek.com/ivanka-trump-jared-kushner-third-secret-email-trump-organization-676603).

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, I request that you provide a briefing by October 27, 2017, to address the following questions:

1. Does Ms. Trump, Mr. Kushner, or any other Trump Administration official have an email account within the Trump Organization or an email account that uses the Trump Organization's servers or systems? If so, when were those accounts set up, what was the stated purpose for setting up the account, 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 servers in which these systems or accounts are or were hosted?
4. What is the retention policy for the email accounts associated with these servers 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 servers, 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?

Mr. Bruce Hoernecke
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Please contact Susanne Grooms of my staff at (202) 225-5051 to arrange this briefing as soon as possible. Thank you for your cooperation with this request.

Sincerely,

A handwritten signature in blue ink that reads "Elijah E. Cummings". The signature is written in a cursive, flowing style with a large, stylized "E" and "C".

Elijah E. Cummings
Ranking Member

cc: The Honorable Trey Gowdy, Chairman