

Congress of the United States
Washington, DC 20515

January 31, 2019

The Honorable Mick Mulvaney
Acting White House Chief of Staff
The White House
1600 Pennsylvania Ave.
Washington, D.C. 20500

Dear Mr. Mulvaney:

We urge you to immediately revoke the security clearance of Senior White House Advisor Jared Kushner, and to comply with past and future oversight requests from Congress related to security clearances, information security, and other matters of national security.

We have held serious concerns about the implications of granting Jared Kushner a security clearance since the President took office, given Mr. Kushner's track record of "omitting" meetings, relationships, and business interests that tie him to foreign officials from his SF-86 clearance application.¹ We raised these concerns in five separate letters to the Trump Administration dated April 13, 2017;² June 1, 2017;³ October 5, 2017;⁴ March 14, 2018;⁵ and June 5, 2018.⁶ The White House has yet to address any of these issues, and new reporting suggests that there has been an intentional, concerted effort within the Executive Office of the President to cover for Jared Kushner in the face of similar objections raised by the career professionals who evaluate appointees' suitability for security clearances.

On January 24, 2019, a report from NBC revealed that "Jared Kushner's application for a top-secret clearance was rejected by two career White House security specialists after an FBI background check raised concerns about potential foreign influence on him — but their

¹ Ellen Nakashima et. al., "Russian Ambassador Told Moscow That Kushner Wanted Secret Communications Channel With Kremlin," *Washington Post*, May 26, 2017 https://www.washingtonpost.com/world/national-security/russian-ambassador-told-moscow-that-kushner-wanted-secret-communications-channel-with-kremlin/2017/05/26/520a14b4-422d-11e7-9869-bac8b446820a_story.html

² Reps. Beyer et. al., Letter to FBI Director James Comey, April 13, 2017
https://beyer.house.gov/uploadedfiles/kushner_letter.pdf

³ Reps. Beyer et. al., Letter to Counsel to the President Don McGahn, June 1, 2017
https://beyer.house.gov/uploadedfiles/beyer_letter_to_white_house_re_kushner_clearance_6.1.17.pdf

⁴ Reps. Lieu and Beyer, Letter to Counsel to the President Don McGahn, October 5, 2017
https://beyer.house.gov/uploadedfiles/lieu_beyer_ivanka_letter.pdf

⁵ Reps. Beyer et. al., Letter to White House Chief of Staff John Kelly, March 14, 2018
https://beyer.house.gov/uploadedfiles/signed_fire_kushner_letter_3.14.18.pdf

⁶ Reps. Beyer et. al., Letter to White House Chief of Staff John Kelly, June 5, 2018
https://beyer.house.gov/uploadedfiles/letter_to_wh_re_kushner_and_ivanka_security_clearances_060518.pdf

supervisor overruled the recommendation and approved the clearance.”⁷ That story goes on to note that “Kushner’s FBI background check identified questions about his family’s business, his foreign contacts, his foreign travel and meetings he had during the campaign.” This is the very issue we warned about in April 2017, before the events described in this report transpired.

The White House’s pattern of hiding the truth and devious behavior with regard to Mr. Kushner’s security clearance suggests that the Administration does not take information security seriously. This problem is underscored by NBC’s reporting that “Kushner’s was one of at least 30 cases in which Kline overruled career security experts and approved a top-secret clearance for incoming Trump officials despite unfavorable information.”

Members of Congress are now placed in the impossible position of wondering who these 30 officials are that received clearances despite being rejected by the career security officials, what the “unfavorable information” was in their records, and why they still have ongoing access to sensitive national security information. We have been given no relevant information from the White House, despite our repeated requests enumerated above, despite the unanimous passage of the SECRET Act in Congress—which required the White House to send us a report explaining its process for evaluating security clearances by August of last year⁸—and despite repeated public debacles like the Rob Porter scandal.

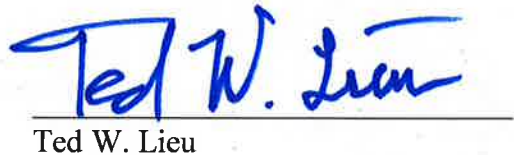
In July 2017, we also asked a series of questions regarding the status of White House Senior Advisor Ivanka Trump’s security clearance.⁹ These questions, too, remain unanswered by the Trump Administration, even as new reports suggest that Special Counsel Robert Mueller is asking witnesses about Ivanka Trump’s involvement in the Trump Tower Moscow project.¹⁰

The President of the United States has a responsibility to the people who put him in office that should outweigh his personal business and familial interests. The ongoing refusal of the Administration to abide by longstanding security clearance processes, coupled with its unwillingness to explain its actions to Members of Congress, increasingly seems like a coverup.

We request swift action to address these concerns. Thank you for your attention in this matter.

Sincerely,


Donald S. Beyer Jr.


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⁷ Laura Strickler, Ken Dilanian, and Peter Alexander, “Officials rejected Jared Kushner for top secret security clearance, but were overruled,” NBC News, January 24, 2019 <https://www.nbcnews.com/politics/donald-trump/officials-rejected-jared-kushner-top-secret-security-clearance-were-overruled-n962221>

⁸ Public Law 115-173 <https://www.congress.gov/bill/115th-congress/house-bill/3210/text>

⁹ Reps. Beyer et. al., Letter to Acting FBI Director Andrew McCabe, July 19, 2017 [https://beyer.house.gov/UploadedFiles/Letter to FBI re Ivanka SF86.pdf](https://beyer.house.gov/UploadedFiles/Letter%20to%20FBI%20re%20Ivanka%20SF86.pdf)

¹⁰ Hunter Walker, “Mueller eyes Ivanka and Don Jr.’s work on Trump Tower Moscow,” Yahoo News, November 29, 2018 <https://www.yahoo.com/news/mueller-eyes-ivanka-don-jr-s-work-trump-tower-moscow-003012099.html>