

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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November 16, 2016

The Honorable Mike Pence  
Vice President-Elect  
Presidential Transition Office  
1717 Pennsylvania Ave., NW  
Washington, DC 20006

Dear Vice President-Elect Pence:

It has been reported publicly that President-elect Donald Trump took the unprecedented step of requesting that his son-in-law, Jared Kushner, accompany him to the highly classified President's Daily Brief, despite the fact that Mr. Kushner holds no security clearance and has undergone no vetting for access to classified national security information. Thankfully, Mr. Kushner ultimately did not join the first President's Daily Brief, which occurred yesterday.

Nevertheless, if these reports are true, Mr. Trump's actions demonstrate a breathtaking lapse in judgment and an astonishingly cavalier attitude towards our nation's most sensitive secrets. According to the Central Intelligence Agency:

Only the president, vice president, and a select group of senior officials with high-level security clearances receive the daily briefing, which presents the Intelligence Community's best insights on national security threats and opportunities.<sup>1</sup>

There are many defense, intelligence, and other national security officials who spend their entire careers handling classified national security information, but never have access to the President's Daily Brief.

Mr. Kushner is a real estate investor who happens to be married to Mr. Trump's daughter. He is not, and never has been, a government employee, and he has never been vetted by any government agency to obtain access to classified information.

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<sup>1</sup> Central Intelligence Agency, *CIA Releases Roughly 2,500 Declassified President's Daily Briefs* (Aug. 24, 2016) (online at [www.cia.gov/news-information/press-releases-statements/2016-press-releases-statements/cia-releases-roughly-2-500-declassified-president2019s-daily-briefs.html](http://www.cia.gov/news-information/press-releases-statements/2016-press-releases-statements/cia-releases-roughly-2-500-declassified-president2019s-daily-briefs.html)).

Mr. Trump has caused great confusion about Mr. Kushner's role. Mr. Trump is specifically prohibited from employing or appointing his son-in-law to a federal position under the federal anti-nepotism statute.<sup>2</sup> As a result, it is unclear what Mr. Kushner's official "need-to-know" classified information would be.<sup>3</sup>

In short, Mr. Trump has not explained why he wants to give his son-in-law access to some of our nation's most sensitive secrets.

Causing even more confusion, Mr. Trump sent a tweet this morning, stating: "I am not trying to get 'top level security clearance' for my children. This was a typically false news story."<sup>4</sup> It is unclear from this tweet whether Mr. Trump is now excluding his son-in-law, Mr. Kushner, from this category.

In order to address the widespread confusion on this issue, I request that you provide the following information by November 23, 2016:

1. a list of each individual who President-elect Trump or members of his transition team have requested be provided security clearances or applications for security clearances as of the date of this letter; and
2. a list of any other individuals who do not currently hold security clearances that President-elect Trump or members of his transition team have proposed giving access to classified information.

I appreciate your prompt attention to this serious matter.

Sincerely,



Elijah E. Cummings  
Ranking Member

cc: The Honorable Jason Chaffetz

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<sup>2</sup> 5 U.S.C. § 3110.

<sup>3</sup> *Donald Trump Requests Security Clearance for Son-in-Law Jared Kushner*, NBC News (Nov. 16, 2016) (online at [www.nbcnews.com/politics/politics-news/donald-trump-requests-security-clearance-son-law-jared-kushner-n684491](http://www.nbcnews.com/politics/politics-news/donald-trump-requests-security-clearance-son-law-jared-kushner-n684491)).

<sup>4</sup> Donald J. Trump@realDonaldTrump, Twitter (Nov. 16, 2016; 6:28 am) (online at <https://twitter.com/realDonaldTrump/status/798850338384023552>).