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## United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
JENNIFER DUCK, *Democratic Staff Director*

June 22, 2017

### VIA ELECTRONIC TRANSMISSION

Marcia Lee Kelly  
Deputy Assistant to the President  
Director of White House Management and  
Office of Administration  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

The Honorable Andrew McCabe  
Acting Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

Dear Ms. Kelly and Acting Director McCabe:

We are writing to request information related to Jared Kushner's security clearance. On April 6, 2017, *The New York Times* reported that Mr. Kushner had failed to disclose some meetings with foreign officials, including Russian ambassador Sergey Kislyak and Vnesheconombank chief Sergey Gorkov, in his application for a top secret security clearance.<sup>1</sup> According to the report, Mr. Kushner's attorney said that the relevant paperwork had been submitted prematurely on January 18, "and that the next day, Mr. Kushner's office told the F.B.I. that he would provide supplemental information." It is not clear whether such supplemental information was ever provided.

In light of these reports, and given Mr. Kushner's expansive portfolio and presumed requirement for routine access to classified information, we ask that you provide written answers to the following questions by July 6, 2017:

1. What is the status of Mr. Kushner's security clearance? Please include in your response the level of information that he has been cleared to receive and the nature (whether interim or permanent) of his clearance, as well as the dates on which major decisions concerning Mr. Kushner's security clearance were made.
2. Did President Trump or any other White House official outside the Office of Administration intervene in or overrule any decision concerning Mr. Kushner's background investigation, the

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<sup>1</sup> Jo Becker and Matthew Rosenberg, *Kushner Omitted Meeting With Russians on Security Clearance Forms*, *The New York Times* (April 6, 2017).

Office of Administration's determination that Mr. Kushner was eligible for a clearance, or at any other point in the security clearance process?


3. Has Mr. Kushner supplemented his incomplete January 18, 2017 SF 86? If so, when?
4. Section 19 of the SF 86 requires applicants to disclose any "close and/or continuing contact with a foreign national" with whom the applicant is "bound by affection, influence, common interests, and/or obligation" within the previous seven years. Please produce to us that section of Mr. Kushner's SF 86, including any additional materials that may have been submitted to supplement Mr. Kushner's original submission.
5. Section 20B.1 of the SF 86 requires applicants to document foreign government contacts, including any instance in which the applicant "provided advice or support to any individual associated with a foreign business or other foreign organization" that the applicant has not listed as a former employer. Please produce to us that section of Mr. Kushner's SF 86, including any additional materials that may have been submitted to supplement Mr. Kushner's original submission.
6. Section 20B.6 of the SF 86 requires applicants to document foreign government contacts, including "any contact with a foreign government, its establishment (such as embassy, consulate, agency, military service, intelligence or security service, etc.) or its representatives, whether inside or outside the U.S.," in the past seven years. Please produce to us that section of Mr. Kushner's SF 86, including any additional materials that may have been submitted to supplement Mr. Kushner's original submission.
7. Would the omission of information describing the number or purpose of Mr. Kushner's publicly reported meetings with Ambassador Kislyak and/or Mr. Gorkov have materially affected your assessment of his ability to safeguard sensitive information, or otherwise influence your determination of his eligibility for a security clearance?
8. Have you concluded that Mr. Kushner has, as of this date, provided full and accurate information regarding his contacts with foreign government officials? If not, what steps have been taken to ensure that Mr. Kushner provides such an accounting?


Thank you for your prompt attention to this important matter. If you have any questions, please contact Patrick Davis of Chairman Grassley's staff at (202) 224-5225, Heather Sawyer of Ranking Member Feinstein's staff at (202) 224-7703, Lee Holmes of Chairman Graham's staff at (202) 224-5972, or Lara Quint of Ranking Member Whitehouse's staff at (202) 224-2921.

Sincerely,

  
Charles E. Grassley  
Chairman  
Committee on the Judiciary

  
Dianne Feinstein  
Ranking Member  
Committee on the Judiciary

  
Lindsey O. Graham  
Chairman  
Subcommittee on Crime and Terrorism  
Committee on the Judiciary

  
Sheldon Whitehouse  
Ranking Member  
Subcommittee on Crime and Terrorism  
Committee on the Judiciary

cc: Ms. Jamie Gorelick, Esq.  
WilmerHale  
1875 Pennsylvania Avenue NW  
Washington DC 20006