

RON JOHNSON, WISCONSIN, CHAIRMAN

ROB PORTMAN, OHIO
RAND PAUL, KENTUCKY
JAMES LANKFORD, OKLAHOMA
MITT ROMNEY, UTAH
RICK SCOTT, FLORIDA
MICHAEL B. ENZI, WYOMING
JOSH HAWLEY, MISSOURI

GARY C. PETERS, MICHIGAN
THOMAS R. CARPER, DELAWARE
MAGGIE HASSAN, NEW HAMPSHIRE
KAMALA D. HARRIS, CALIFORNIA
KYRSTEN SINEMA, ARIZONA
JACKY ROSEN, NEVADA

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR
DAVID M. WEINBERG, MINORITY STAFF DIRECTOR

January 22, 2019

Mr. Pat A. Cipollone
White House Counsel
The White House
Washington, D.C. 20500

Dear Mr. Cipollone:

Thank you for your office's response to my letter requesting information about the extent of and reason for Ivanka Trump's use of personal email to conduct official business from April 2017 through late September 2017.

As you know, the Presidential Records Act and Federal Records Act anticipate the occasional use of personal email for non-classified official business so long as the employee takes measures to ensure the official emails are preserved as official records. Employees must do this by copying at least one official email address to the email or forwarding the email to an official account within 20 days.¹ Your office's response referred me to Ms. Trump's personal attorney, Abbe Lowell.

On December 18, 2018, Mr. Lowell briefed me on Ms. Trump's use of email during her time at the White House. According to Mr. Lowell:

- Ivanka Trump began unpaid employment in the White House on March 29, 2017, and was issued an official email address around that time.
- Between her start date and September 2017, Ms. Trump's official email account contained approximately 10,000 emails. During that same time period, Ms. Trump's private email account contained approximately 100 official emails that failed to copy an official account or were not forwarded to an official account at that time.
- There were a number of briefings for incoming officials on various procedures, including the use of email, but those briefings occurred prior to Ms. Trump's start date. There were also periodic emails on procedures after her start date, but for some reason, Ms. Trump was not included as a recipient of those emails until after news reports on her email use.
- Most of the official emails sent or received from her private email account were related to scheduling and logistics and therefore included a mix of personal and official business, and none of the emails contained classified information.
- When Ms. Trump became aware of her federal records obligations following news reports and discussions with your office, she preserved the official emails by transferring

¹ 44 U.S.C. 2209.

Mr. Pat A. Cipollone

January 22, 2019

Page 2

them to official servers and also preserved all personal emails from the same email account.

Given this information, I have additional questions about the White House's training on the Presidential Records Act.

1. Please explain why Ms. Trump was not briefed on her federal records obligations until after news reports on the subject.
2. What processes and controls are in place to ensure that all future employees of the Executive Office of the President are fully trained on their federal records obligations?
3. What steps were taken to determine that no classified information was transmitted through an insecure or potentially vulnerable channel?

Please provide a response to these questions as soon as possible, but no later than February 5, 2019. If you have any questions, please contact Patrick Bailey of the Committee staff at (202) 224-4751. Thank you for your attention to this matter.

Respectfully,



Ron Johnson

cc: The Honorable Gary C. Peters
Ranking Member

Mr. Abbe D. Lowell
Counsel to Ms. Trump