

United States Senate

WASHINGTON, DC 20510

February 8, 2018

Mr. Wayne Stone
Acting Inspector General
Office of the Inspector General of the Intelligence Community
Washington, DC 20511

Dear Mr. Stone:

We write today to request an investigation into oversight by the Director of National Intelligence (DNI) of investigations and determinations of eligibility for access to classified information for staff in the agencies and entities within the Executive Office of the President, including the White House and the National Security Council.

In past months there has been extensive public disclosures of errors and omissions in the disclosures submitted by senior administration officials who received security clearances, including White House officials Jared Kushner and former National Security Advisor Michael Flynn. Both of whom have had concealed contacts with Russian agents. At the same time, Director of National Intelligence Daniel Coats declined to respond in his testimony before both the Senate Armed Services Committee and the Senate Intelligence Committee as to whether the President directed him to intervene in the ongoing counter-intelligence investigation of White House personnel.

In response to this troubling conduct, Members of the Senate have sent several requests for information to the administration seeking clarification on the security clearance review process and the status of these individuals and others at the White House. We have not received responses to these requests. We are concerned over the apparent low and inconsistent threshold the Trump White House uses for obtaining an interim security clearance.

Our grave concern over this issue was again raised, following reports that Jared Kushner, who is privy to highly sensitive intelligence, such as the President's Daily Brief (PDB), has met privately with Ambassador Cui Tiankai, the Chinese Ambassador to the United States. While serving in the White House, Jared Kushner has refused to end his involvement in his extensive private business holdings, which rely on foreign investments, such as Chinese participation in the EB-5 program. These financial dealings could potentially expose him to foreign influence concerns.

The DNI serves as the Security Executive Agent of the Suitability and Security Clearance Performance Accountability Council. The Security Executive Agent's responsibilities include the oversight of investigations and determinations of eligibility for access to classified information. The DNI also oversees the process for determining whether personnel who access classified information are stable, trustworthy, reliable, discreet, of excellent character and sound judgment, and unquestionably loyal to the United States.

As your office conducts independent investigations of programs and activities within the responsibility and authority of the DNI, we request an investigation into the DNI's oversight of investigations and determinations of eligibility for access to classified information for staff in the agencies and entities within the Executive Office of the President. This investigation should include:

- (1) An evaluation of the steps the DNI has taken to ensure that information provided by individuals within the Executive Office of the President seeking access to classified information is accurate and complete;
- (2) A review of the steps the DNI has taken to ensure that the Executive Office of the President has uniform and consistent policies and procedures to ensure the effective, efficient, and timely completion of investigations and adjudications, including steps taken to ensure there are no improper determinations or political influence;
- (3) A review of the guidelines and instructions the DNI has issued to the Executive Office of the President to ensure appropriate uniformity, centralization, efficiency, effectiveness, and timeliness in processes relating to determinations of eligibility for access to classified information or eligibility to hold a sensitive position;
- (4) An accounting of the status of any official within the Executive Office of the President who had been deemed ineligible to hold a security clearance but whose determination has been overruled;
- (5) The identity of all White House staff members and political appointees who were issued interim security clearances, the dates on which they were issued, and whether periodically reviewed or downgraded pending a final decision;
- (6) For each White House staff member and political appointee who has or had interim security clearance, the level of access of information that each individual was granted. Please include specifically the identity of any White House staff members or political appointees who receive the President's Daily Brief and the level of security clearance that those individuals possess;
- (7) For individuals for whom an interim security clearance was revoked, downgraded, or denied, please indicate the steps taken to retroactively protect information.
- (8) Any differences you identify in how Trump White House staff members and political appointees have been granted interim clearances compared to prior administrations and the rationale for any change in approach.

- (9) An identification of any other issues related to the effectiveness of programs for investigating and determining eligibility for access to classified information, and any waste fraud or abuse in such programs.

Thank you for your prompt attention to this matter.

Sincerely,



RICHARD BLUMENTHAL
United States Senate



ELIZABETH WARREN
United States Senate



MAZIE K. HIRONO
United States Senate