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WASHINGTON, DC 20510

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Mr. David J. Apol
Acting Director
U.S. Office of Government Ethics
1201 New York Avenue, N.W., Suite 500
Washington, DC 20005

Dear Acting Director Apol,

I request that you investigate possible ethical violations in the conduct of Mr. Jared Kushner as Senior Advisor to the President and his reported failure to comply with 18 U.S.C. 208(a). Mr. Kushner has identified himself as one of the President's closest advisors and provides him with counsel on a broad range of issues. At the same time, through the use of a trust managed by his family for his benefit, Mr. Kushner has retained a financial interest in the Kushner Companies, where he previously served as Chief Executive Officer. Therefore, ethical compliance and public trust rest on the thin reed of Mr. Kushner's not participating personally and substantially in any particular matter that to his knowledge has a direct and predictable effect on his financial interests. I am troubled by reports that he has failed to do so. I urge you to make a determination as to whether Mr. Kushner may have violated the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct) and notify me of any recommendation for disciplinary or corrective action.

Mr. Kushner reportedly met repeatedly with Mr. Joshua Harris, of Apollo Global Management and an outside adviser on the Trump Administration's multi-billion dollar effort to privatize public infrastructure. The true nature and content of those discussions are not public. But they unquestionably present the appearance of unethical conduct, given the subsequent \$184 million loan facilitated by the Apollo Group Management to Mr. Kushner's family real estate firm. The timely loan provided funds sourced from the government of Qatar. The financial transaction reportedly enabled Kushner Companies to withdraw equity to meet other debt obligations and maintain ownership of the 225 W. Randolph St. office building in Chicago, when a prior loan from another lender was about to expire and they had previously been unable to sell the property.

Likewise, during the same time period, Mr. Kushner reportedly met with Mr. Michael Cobart, Chief Executive Officer of Citigroup. Once again, the true nature and content of this discussion is not public. However, it presents the appearance of violating the Standards of Conduct prohibiting employees from misusing their official position, given the subsequent \$325 million loan by Citigroup to the Kushner Companies.

There may well be other such troubling violations, as the White House has concealed public records of such meetings by Mr. Kushner. You must determine whether Mr. Kushner participated in the particular matter of legislation or policymaking focused on the interests of the Kushner Companies, Apollo Global Management or Citigroup. Quite simply: what official actions did Mr. Kushner take for the benefit of these entities, and were those actions spurred by the half-billion dollars they provided Mr. Kushner?

The Office of Government Ethics notified Mr. Kushner that he must not participate personally and substantially in any particular matter that to his knowledge has a direct and predictable effect on his financial interests, until he divests of them or obtains a written waiver. You have an obligation to determine whether Mr. Kushner has done so.

I also urge you to determine whether Mr. Kushner should make additional divestments of potentially conflicting assets and whether he has completed in a timely manner the divestment of assets identified as "in the divestment process" in his Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e).

Furthermore, the Office of Government Ethics recommended that Mr. Kushner obtain ethics counseling from the Office of White House Counsel prior to entering government. It also encouraged him to complete, after assuming his duties, ethics training specifically on the "misuse of position" as a White House employee, because the Office of Government Ethics was not in a position to know the precise nature of his duties. Please inform me what evidence, if any, you have that Mr. Kushner has done so.

Mr. Walter Shaub, Jr., the prior Director of the Office of Government Ethics, made the prudent suggestion, given the fast-paced nature of the White House and given that ethics issues often arise unexpectedly, that Mr. Kushner be placed "two steps back from the line between what is permissible and what is not" and that "the further you can put him back from the line, the better you will protect him." Public evidence suggests that this advice has gone unheeded and that Mr. Kushner has crossed the line by failing to recuse himself from official meetings that benefit his personal financial interests.

I look forward to your timely response to this request.

Sincerely,



Richard Blumenthal
United States Senate