

May 8, 2017

Hon. Walter M. Shaub, Jr.  
Director  
Office of Government Ethics  
Suite 500  
1201 New York Avenue, NW  
Washington, DC 20005

Re: Conflict of Interest Issues re Jared Kushner

Dear Director Shaub:

We are forwarding to you two letters recently sent by Democracy 21 to Jared Kushner, Senior Adviser to the President.

As set forth in our first letter, dated April 25, 2017, given the unprecedented responsibilities conferred on Mr. Kushner by President Trump and given Mr. Kushner's extensive business holdings, Mr. Kushner needs to make a full divestiture of his business interests into a blind trust that complied with the requirements of the Ethics in Government Act.

But in light of his refusal to do so, the April 25 letter stated that given the business interests in China of his spouse, Ivanka Trump, including her valuable trademarks and pending trademark applications, Mr. Kushner is required to recuse himself from his foreign policy responsibilities for matters dealing with China. As you know, the business interests of Mr. Kushner's spouse also accrue to Mr. Kushner for purposes of the conflicts of interest rules.

This is a matter that requires the attention of, and appropriate action by, the Office of Government Ethics.

Reports published about the efforts by the Kushner family in China to obtain investors in the Kushner family business enterprise only confirm that there is a clear and compelling case that Mr. Kushner needs to publicly recuse himself promptly from all policy matters dealing with China.

A [\*Washington Post\*](#) report published on May 6, 2017 stated:

Over several hours of slide shows and presentations, representatives from the Kushner family business urged Chinese citizens gathered at a Ritz-Carlton hotel

to consider investing hundreds of thousands of dollars in a New Jersey luxury apartment complex that would help them secure what's known as an investor visa.

The potential investors were advised to invest sooner rather than later in case visa rules change under the Trump administration. "Invest early, and you will invest under the old rules," one speaker said.

The tagline on a brochure for the event: "Invest \$500,000 and immigrate to the United States."<sup>1</sup>

According to the *Post* article, this message was delivered by "Jared Kushner's sister Nicole Kushner Meyer to a ballroom full of wealthy Chinese investors in Beijing." Ms. Meyer was listed in promotional materials as Jared Kushner's sister.

The *Post* article also stated, "At Saturday's event, attendee Wang Yun, a Chinese investor, said the Kushner family's ties to Trump were an obvious part of the project's appeal. 'Even though this is the project of the son-in-law's family, of course it is still affiliated,' Wang said."

A [\*New York Times\*](#) report published on May 7, 2017 stated:

Like many American firms that come to China looking for money, Kushner Companies on Sunday tried to woo a Shanghai audience with promises of potentially big returns and a path toward living in the United States.

But for Bi Ting, who attended the event, part of the appeal was political: Jared Kushner is the son-in-law of — and a powerful adviser to — President Trump. Virtually unheard-of in China just months ago, he is now known here as a deeply influential figure in American politics.

"The Trump relationship is an extra point for me," Ms. Bi said, adding that she and her husband had not decided whether to invest.

The Kushner Companies' China roadshow, promoting \$500,000 investments in New Jersey real estate as the path to a residency card in the United States, moved to Shanghai on Sunday after a similar pitch on Saturday in Beijing.<sup>2</sup>

The *Times* article also stated, "one slide presented to the Shanghai audience on Sunday showed a photograph of Mr. Trump when describing who will decide the future of the visa program for foreign investors, according to a snapshot taken by an audience member."

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<sup>1</sup> E. Rauhala and William Wan, "In a Beijing Ballroom, Kushner Family Pushes \$500,000 'Investor Visa' to Wealthy Chinese," *The Washington Post* (May 6, 2017).

<sup>2</sup> K. Bradsher, A. Tang and J Druckner, "Trump Looms as Kushner Companies Courts Investors in China," *The New York Times* (May 7, 2017).

This crass effort by the Kushner family to raise large amounts of funding in China and to use government “investment visas” as incentives for wealthy Chinese individuals to invest in the Kushner family business is clearly intended to create the appearance that Jared Kushner and his family can be influential in their obtaining investor visas to the United States.

While Jared Kushner has divested his ownership holdings in this particular Kushner business enterprise, the effort by the Kushner family to imply that the influential Jared Kushner can help Chinese individuals to obtain investor visas only confirms the profound appearance of conflicts of interest that exist and will continue to exist so as long as Mr. Kushner has White House foreign policy responsibilities for matters dealing with China.

While a published report today in [CNN Money](#) states that a spokesperson for the Kushner Companies has said that “the name drop at the event in Beijing on Saturday was not intended to be an ‘attempt to lure investors’ to one of its projects in New Jersey,”<sup>3</sup> this after the fact, self-serving denial does not relieve Mr. Kushner of the obvious appearance problems that Mr. Kushner has in matters dealing with China

This appearance of a conflict of interest by Mr. Kushner comes on top of Mr. Kushner’s actual conflict of interest resulting from Ivanka Trump’s business interests in China and, as stated in our April 25 letter, makes it incumbent on Mr. Kushner to recuse himself from all matters dealing with China.

Democracy 21 believes this matter facing Mr. Kushner is a very serious ethics problem that must be effectively addressed.

In our second letter to Mr. Kushner, dated May 3, 2017, we stated that unless and until Mr. Kushner recuses himself from a number of policy areas as outlined in our April 25 letter, he must make a full public disclosure now of all foreign lenders, investors and business associates involved in his extensive business holdings.

Democracy 21 urges you and the Office of Government Ethics to take appropriate action to ensure that Mr. Kushner’s conflicts of interest and the appearance of such conflicts regarding his policy responsibilities for matters dealing with China are eliminated.

Democracy 21 would appreciate your attention to this important ethics problem.

Sincerely,

/s/ Fred Wertheimer

Fred Wertheimer  
President

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<sup>3</sup> C. Alesci & J. Disis, “Kushner family apologizes for mentioning White House adviser Jared Kushner,” *CNN Money* (May 8, 2017).