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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

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October 12, 2012

The Honorable Jacob Lew
Chief of Staff
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20050

Dear Chief of Staff Lew:

In April of this year, staff employed by the United States Secret Service (USSS) hired prostitutes while on official duty during a Presidential visit to the Summit of Americas in Cartagena, Colombia. The national security risks associated with this type of misconduct threaten the very safety of the President of the United States and creates an environment where sensitive information may be stolen, accessed, or otherwise extracted from U.S. personnel. Further, this type of disappointing behavior creates an opportunity for blackmail.

These types of security concerns are a foremost priority to the American people. The USSS is charged with protecting the President and works closely with White House Advance staff to coordinate the President's schedule and to ensure he is safeguarded at all times. Any misconduct by U.S. personnel that may bring his security into jeopardy is of grave concern. Appropriately, the White House conducted its own investigation into whether or not staff associated with the White House, including White House Advance staff, engaged in misconduct while in Cartagena. On April 23, 2012, White House Secretary Jay Carney stated:

“There have been no specific, credible allegations of misconduct by anyone on the White House advance team or the White House staff. Nevertheless, out of due diligence, the White House Counsel's office has conducted a review of the White House advance team, and in concluding that review, came to the conclusion that there's no indication that any member of the White House advance team engaged in any improper conduct or behavior. So, simply out of due diligence, over the last several days that review was conducted, and it produced no indication of any misconduct.”

Yet an independent investigation by the Department of Homeland Security Office of the Inspector General (DHS OIG) revealed “hotel records that suggested female foreign nationals signed in as guests to rooms registered to one White House Communications Agency employee and one reported member of the White House staff and/or advance team.” While the contents of the DHS OIG report of investigation are not public, my office had an opportunity to review it. As a result of our review, and considering Mr. Carney's statement that the White House performed its own review over the period of

several days, I find it difficult to believe that the White House did not have knowledge of the identity of U.S. personnel associated with the White House on the date of Mr. Carney's statement. Either the White House conducted an ineffective review or Mr. Carney had knowledge of White House staff misconduct at the time of his statement.

Unfortunately, we also cannot tell if misconduct was restricted to only two members of the White House staff. Regrettably, the DHS OIG investigation was limited in scope because investigators were unable to interview foreign nationals or access foreign records. In its executive summary of their investigation, the DHS OIG stated:

“We made an official Mutual Legal Assistance Treaty (MLAT) request from the Department of Justice so we could interview the female Colombian nationals and secure other investigative records. However, the Department of Justice declined our request because the information was sought for a Congressional proceeding rather than a U.S. criminal matter.”

Without a MLAT, DHS OIG was unable to interview the prostitutes, hotel staff, and employees at the establishments where USSS personnel solicited prostitutes. Further, the DHS OIG was only able to access overnight visitor logs at one of the 15 hotels where U.S. personnel stayed in Cartagena. Without the ability to interview foreign nationals and access these hotel records, it is impossible to determine if additional White House personnel engaged in misconduct and if U.S. personnel have solicited prostitutes in the past while in Cartagena.

Understanding the DHS OIG was hindered in its investigation, my office requested the USSS release details related to its internal investigation of the matter. On May 23, 2012, USSS Director Sullivan testified before the Senate Homeland Security and Governmental Affairs Committee and stated:

“From the beginning of this incident, we have strived to keep members of Congress and committees of jurisdiction up to date as information became available. While my written testimony provides an overview of our findings to date, I am committed to keeping you informed as our review continues.”

True to his word, Director Sullivan agreed to let my office review the USSS investigation today at 9AM. Surprisingly, my office received a phone call from the USSS at 8:30AM rescinding the offer. We were informed that the Department of Homeland Security will not authorize USSS to release the information. Despite promises by this White House to be the most transparent in history, the Administration is now instructing that information related to the Secret Service's review – which Director Sullivan promised to provide in testimony before Congress – be withheld from Congress.

As part of your commitment to transparency, please provide responses to the below questions by 5PM on October 17, 2012.

1. Please provide information related to the two non-USSS personnel identified by the DHS OIG as having connections to the White House and checking female guests into a hotel in Cartagena. Please include their name, title, employment office, and the name and title of their direct supervisor.
2. When did the White House learn that the two U.S. personnel identified by the DHS OIG with connections to the White House checked in overnight guests? How do you reconcile this information with the April 23rd statement made by Jay Carney?
3. Please provide a detailed description of the White House review into the events in Cartagena, specifically as it relates to staff associated with the White House engaging in misconduct. Please include the date the review commenced and ended, the name and title of the White House staff responsible for the review, and the date such review was briefed to the President. Please provide all documents related to the review including but not limited to notes and e-mail communications.
4. Has White House staff reviewed the DHS OIG report of investigation on the events in Cartagena? Please provide the date any such review or briefing was conducted and the names and titles of the individuals who received a review or briefing.
5. Has White House staff communicated with DOJ regarding the events in Cartagena? Did White House staff communicate with DOJ regarding DOJ's decision to deny DHS OIG's request for a Mutual Legal Assistance Treaty? Please provide a date and summary for all such discussions, including the names and titles of those involved. Please explain why this Administration does not view the potential solicitation of prostitutes by staff associated with the White House as a criminal matter.
6. Is the White House aware of DHS' decision to withhold information related to the Secret Service's internal investigation into the events in Cartagena? Please provide a detailed description of any discussions held regarding this decision.

I appreciate your cooperation in this important matter. If you have any questions or wish to discuss this request, please have your staff contact Rachel Weaver at 202-224-2674. I look forward to receiving your responses.

Sincerely,



Ron Johnson
Ranking Member
Subcommittee on Oversight of Government Management