

JOSEPH I. LIEBERMAN, CONNECTICUT, CHAIRMAN

CARL LEVIN, MICHIGAN
DANIEL K. AKAKA, HAWAII
THOMAS R. CARPER, DELAWARE
MARK L. PRYOR, ARKANSAS
MARY L. LANDRIEU, LOUISIANA
CLAIRE McCASKILL, MISSOURI
JON TESTER, MONTANA
MARK BEGICH, ALASKA

SUSAN M. COLLINS, MAINE
TOM COBURN, OKLAHOMA
SCOTT P. BROWN, MASSACHUSETTS
JOHN McCAIN, ARIZONA
RON JOHNSON, WISCONSIN
JOHN ENSIGN, NEVADA
ROB PORTMAN, OHIO
RAND PAUL, KENTUCKY

United States Senate

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

MICHAEL L. ALEXANDER, STAFF DIRECTOR
NICHOLAS A. ROSSI, MINORITY STAFF DIRECTOR

April 30, 2012

Mark Sullivan
Director
United States Secret Service
950 H Street, NW
Washington, D.C. 20023

Dear Director Sullivan:

Like most of the American public, we have followed with deep distress and disappointment the unfolding story of the actions of a number of Secret Service and military personnel in Cartagena, Colombia, on the night of April 11 and the morning of April 12, 2012. The behavior of these individuals – not just their procuring of prostitutes, but also their alleged disruptive display of public drunkenness, among other things -- brought disgrace to themselves and to the United States government. Just as important, it could well have compromised the security of the President and the integrity of the mission for which he traveled to Colombia.

As the Chairman and Ranking Minority Member of the Senate Committee with primary jurisdiction over the federal workforce, as well as the authority “to study or investigate . . . the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance . . . mismanagement, incompetence, corruption or unethical practices” (Section 12(e)(1)(A) of S. Res.81 (112th Congress)), we feel it incumbent upon ourselves to initiate an inquiry into a number of issues raised by the events in Cartagena. Specifically, we wish to determine whether those events were indicative of a pattern of behavior by agents or officers of the Secret Service, and need to be addressed systemically, or if they instead constituted an isolated incident warranting action only with respect to the individuals involved.

To that end, we request that you provide the Committee with answers to the following questions by May 14, 2012, or sooner where possible. Where indicated, we are also requesting documents related to the information sought. If any material or information responsive to our requests resides exclusively with the Secretary of Homeland Security, the Acting Inspector General of the Department of Homeland Security, or the Assistant Director of the Secret Service’s Office of Professional Responsibility, you may ask them to provide it to us directly. We are copying this letter to them to make them aware of this obligation. So that we may get a full and accurate sense of these matters, we ask that you provide us with answers and documents regarding events that occurred anytime from January 1, 2007 to the present.

1. What rules, regulations, codes of conduct or the like govern the conduct of Secret Service personnel, including rules pertaining to employees who hold a security clearance? Are Secret Service personnel, or any subset of Secret Service personnel, required to abstain from any types of otherwise legal behavior? Are there any rules regarding the use of alcohol or legal or prescribed drugs or medications by Secret Service personnel? Please provide us with copies of any written material containing any relevant rules, regulations or guidance or interpretations thereof.
2. To the extent that different rules apply during on-duty versus off-duty times, please specify. Please provide us with copies of any written material containing any relevant rules, regulations or guidance or interpretations thereof.
3. Do different or additional rules apply when Secret Service personnel are outside of the United States? If so, please provide details – including distinctions between conduct during on-duty versus off-duty times -- and copies of any relevant written material.
4. To the extent not specifically answered already, are Secret Service personnel permitted to pay for sex if they are in a locale or country where such activity is not otherwise illegal? Please provide any written material relevant to answering this question.
5. To the extent not specifically answered already, are Secret Service personnel permitted to engage in other activities generally prohibited in the U.S. – such as using certain controlled substances – if they are in a location where such activity is not otherwise illegal? Please provide any written material relevant to answering this question.
6. Are there any rules restricting what items Secret Service personnel may purchase when traveling on government business with government-provided funds, or may submit for government reimbursement? Please provide any written material relevant to answering this question.
7. Are Secret Service personnel required to abide by all U.S. laws and regulations, in addition to any local law and regulations, while in a foreign country? If so, please identify where this policy is specified.
8. Are agency personnel required to sign and acknowledge that they have received or read a code of conduct, or equivalent document, for all Secret Service personnel? To the extent not already provided in response to previous questions, please provide a copy of any document(s) containing federal, departmental or agency policies regarding behavior, including any code of conduct, applicable to Secret Service personnel.
9. When were the policies regarding behavior of Secret Service personnel, including any applicable code of conduct or equivalent document, last updated by the agency or the Department of Homeland Security?

10. Please identify all offices or individual positions within or acting on behalf of the Department of Homeland Security or any of its subdivisions, authorized to receive formal or informal complaints about the behavior of Secret Service personnel.
11. Please provide the Committee with a detailed description of all complaints received by the Department (including, but not limited to, the Office of the IG) or the Service (including, but not limited to, the Office of Professional Responsibility) since January 1, 2007, regarding the inappropriate conduct of Secret Service personnel. With respect to each complaint, please detail the nature of the complaint, the job description of the subject of the complaint, a general description of the person or entity that lodged the complaint, who received the complaint, when it was received, the time period to which the complaint referred, whether the complaint was investigated, and the outcome of any such investigation. In answering this and other questions, please construe the term "complaint" broadly, to include any formal complaint, as well as any informal complaint the Department can, with reasonable diligence, reconstruct.

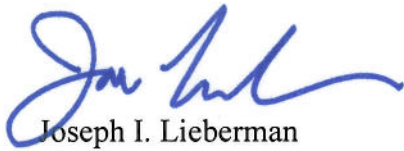
In answering this question, please affirm that you have checked with all the offices and individuals referenced in answer to question #10, above.

12. Please provide the Committee with a detailed description of all disciplinary actions taken against agency personnel for violations of any federal, State, departmental or agency laws, regulations or policies, for inappropriate conduct either in the U.S., or while on assignment in a foreign country. With respect to each action, please detail the nature of the behavior at issue, the job descriptions of those involved, when the events at issue occurred, when the disciplinary action occurred, and the specific action taken. In answering this and all other questions, please construe the terms "discipline" and "disciplinary action" broadly, to include any formal or informal action taken by the Service or its personnel in response to an incident of improper, inappropriate or illegal behavior.
13. To the extent not already provided, please detail any cases in which agency personnel were accused of having engaged in inappropriate sexual conduct, including with prostitutes, or in excessive drinking. Provide detail on the circumstances of the behavior, the individuals involved and the dates of the events, as well as any disciplinary actions that resulted.
14. What percentage and number of agents and officers within the Secret Service are women? What number and percentage of supervisory personnel are women, among Special Agents, Uniformed Officers and administrative and support personnel? What number and percentage of agency personnel sent to Colombia for the recent summit were women? How many female agents are assigned to the Presidential and Vice Presidential Protective details?
15. Has DHS or the Secret Service changed or have plans to change any particular policies, rules, regulations, or codes of conduct, or issue any new guidance to their personnel in

response to the events in Cartagena? If so, what changes have been or will be made? Please provide the Committee with any written material relevant to answering this question.

We know that you share our commitment to getting to the bottom of the events that occurred in Cartagena and to assuring the Congress and the American people either that this was an isolated incident or, if it was not, that future conduct of this sort will not be tolerated. We thank you and your staff in advance for your cooperation. If you have any questions or wish to discuss this request, please have your staff contact Jason Yanussi of the Committee's majority staff at 202-224-2627, or Brendan Shields of the Committee's minority office at 202-224-4751. We look forward to receiving your responses by May 14, 2012.

Sincerely,



Joseph I. Lieberman
Chairman



Susan M. Collins
Ranking Member

Cc: Janet Napolitano, Secretary of Homeland Security
Charles K. Edwards, Acting Inspector General, Department of Homeland Security
George Luczko, Assistant Director, Office of Professional Responsibility, United States Secret Service