

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

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<http://oversight.house.gov>

February 18, 2015

Via U.S. Mail and E-mail (robert.novy@uss.s.dhs.gov)

The Honorable Joseph P. Clancy
Director
U.S. Secret Service
950 H Street NW
Washington, D.C. 20223

Dear Mr. Clancy:

We commend your decision to remove the Deputy Director, Alvin Smith,¹ and four Assistant Directors in response to recommendations from the Protective Mission Panel,² which found that “the [Secret] Service needs strong, new leadership that can drive change within the organization.”³ We agree that United States Secret Service (USSS) needs fresh leadership to restore full trust in the agency. We encourage you to continue reviewing the agency’s leadership to determine if additional changes are necessary.

We remain concerned, however, about the current state of the agency. The Oversight and Government Reform Committee is trying to understand the root cause of past security lapses, low employee morale, and incidents of misconduct. The Committee will review all aspects of the agency’s leadership, culture, protocols, training, personnel, budget, technology, and tactics. Our goal is to identify and address deficiencies before there is another dangerous incident.

Therefore, please provide the following documents and information as soon as possible, but no later than April 1, 2015:

1. All analyses or recommendations regarding the protective mission of the USSS issued in the past 15 fiscal years, including, but not limited to, reports drafted by the Protective Reassessment Committee, gap analyses following specific security breaches, and funding justifications;
2. All USSS annual and supplemental budget requests and justifications, amounts received through appropriations, amounts received through the Treasury Forfeiture Fund, and strategic human capital plans for the past 15 fiscal years;
3. A table by organization for staffing for the USSS, including both the capacity and the current staffing numbers for each field office and division of the agency;

¹ Press Release, Joseph Clancy, Acting Director, U.S. Secret Service (Feb. 9, 2015).

² Press Release, Joseph Clancy, Acting Director, U.S. Secret Service (Jan. 15, 2015).

³ Executive Summary to Report from the U.S. Secret Service Protective Mission Panel to the Sec’y of Homeland Security (Dec. 15, 2014) at 3.

4. All Inspections Division reports from 2010 to the present;
5. Without divulging the source of the allegation, a list of all misconduct allegations received from 2010 to the present against any employee of the USSS by the Office of Professional Responsibility, Office of Integrity, Employee Relations Branch, or former Office of Inspection, including a summary of the allegation; whether it was considered criminal or non-criminal; which office or division investigated the allegation; the GS level, USSS division, and, if applicable, management position of the subject of the allegation when it was received and currently; a summary of the findings and the date the findings were issued; the disposition and relevant dates of any subsequent personnel action (i.e., discipline assigned, discipline grieved, employee resigned, etc.);
6. Without divulging the source of the allegation, a list of all misconduct allegations received from 2010 to the present against any employee of the USSS and handled as management issues, including a summary of the allegation; the GS level, USSS division, and if applicable, management position of the subject of the allegation when it was received and currently; and a summary of how the allegation was handled, including relevant dates;
7. Without divulging the identity of the complainant, a list of Equal Employment Opportunity complaints received from 2010 to the present against any employee of the USSS, including a summary of the complaint; the GS level, USSS division, and, if applicable, management position of the subject of the complaint when it was received and currently; a summary of the findings and the date the findings were issued; and the disposition and relevant dates of any subsequent personnel action (i.e. complaint dismissed, settlement agreement, employee resigned, etc.);
8. All USSS procedures and protocols regarding misconduct allegations, including investigation procedures, discipline tables, and grievance procedures;
9. All USSS procedures and protocols regarding the process for reviewing any security breach that exposes or otherwise involves the President or members of the First Family;
10. All USSS procedures and protocols regarding armed non-Secret Service personnel, including any policies or procedures that cover proximity to the President;
11. All documents and communications referring or relating to public statements by USSS officials regarding the following:
 - a. Operation Moonlight; and
 - b. The White House fence-jumping of September 19, 2014;
12. Copies of all video footage, photographs, or audio recordings related to the September 2014 incident at the Centers for Disease Control and Prevention (CDC) in which an armed contractor rode in an elevator with the President;
13. All documents and communications referring or relating to the September 2014 CDC incident between and among USSS personnel present at the incident, officials who reviewed the incident, press office staff who issued public statements on this incident, managers who were involved in

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disciplinary actions taken relating to this incident, and any other personnel with direct knowledge of the incident;

14. All documents and communications that have previously been produced to Congress regarding the April 2012 Cartagena incident, including but not limited to memoranda, reports of investigation, disciplinary actions, interview transcripts, hotel logs, video footage, photographs, or audio recordings;
15. All documents and communications referring or relating to the April 2012 Cartagena incident between and among USSS personnel present at the incident, officials who reviewed the incident, press office staff who issued public statements on this incident, managers who were involved in disciplinary actions taken relating to this incident, and any other personnel with direct knowledge of the incident; and
16. All documents and communications that were produced to the recent Protective Mission Panel, which operated from October 22, 2014, to December 15, 2014.

When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building. The Committee prefers, if possible, to receive all documents in electronic format. An attachment to this letter provides additional information about responding to the Committee's request.

The Committee on Oversight and Government Reform is the principal investigative committee in the U.S. House of Representatives. Pursuant to House Rule X, the Committee has authority to investigate "any matter" at "any time."

Please contact Mike Howell or Tristan Leavitt of Chairman Chaffetz' staff at (202) 225-5074 or Valerie Shen of Ranking Member Cummings's staff at (202) 225-5051 with any questions about this request. Thank you for your attention to this matter.

Sincerely,



Jason Chaffetz
Chairman



Ron DeSantis
Chairman
Subcommittee on National Security



Elijah E. Cummings
Ranking Minority Member



Stephen F. Lynch
Ranking Minority Member
Subcommittee on National Security

Enclosures

Responding to Committee Document Requests

1. In complying with this request, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
 - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
 - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - (d) All electronic documents produced to the Committee should include the following fields of metadata specific to each document;

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE,
SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM,
CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE,
DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,
INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.
6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.
10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. Unless otherwise specified, the time period covered by this request is from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.
17. All documents shall be Bates-stamped sequentially and produced sequentially.
18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.

19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, regular mail, telexes, releases, or otherwise.
3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
4. The terms "person" or "persons" mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.

5. The term "identify," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.
7. The term "employee" means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.