

Inspector General John Kelly
Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528-0305

December 4, 2017

Dear Inspector General Kelly,

On Friday, March 17, 2017 I submitted a complaint to your office to former DHS Inspector General John Roth.

The complaint submitted evidence that one of two crimes must have been committed by employees at the United States Secret Service. Either Special Agent Ellen Ripperger committed perjury when she was deposed by AFGE Attorney Thomas Gagliardo, or someone in the United States Secret Service destroyed evidence. Both are serious criminal matters.

Recall from my original complaint that Special Agent Ellen Ripperger stated under oath at deposition that she knew the audio of a polygraph exam was being recorded properly because she could see the audio recording meter move during the exam. Yet when ordered to produce the audio recording by a judge, the USSS polygraph exam audio recording shows no movement of the audio meter for 2 hours and 49 minutes of a 3 hour and 24 minute examination. Either Special Agent Ellen Ripperger lied under oath and she purposely never recorded this polygraph examination, or someone at the United States Secret Service destroyed the recording. There are no other possibilities in this matter.

Instead of investigating these allegations, the DHS OIG determined these potential crimes would be "more appropriately addressed by the United States Secret Service Office of Professional Responsibility." If not for the efforts of Senator Christopher Van Hollen, it would have remained hidden that DHS OIG buried this matter without investigation.

There are three inherently ethical problems with the course of action taken by DHS OIG.

1. DHS OIG chose not to investigate and determine if a crime had been committed when physical evidence was provided to them that a crime must have been committed.
2. DHS OIG is allowing the USSS, the agency which is accused of criminal wrongdoing in this matter, to investigate and police itself.
3. DHS OIG is downgrading a potentially criminal matter committed by a law enforcement agency to one of "Professional Responsibility."

I believe the above three actions constitute serious federal ethics violations by DHS OIG and consider it my responsibility as a federal employee to report this conduct to the United States Office of Government Ethics.

The actions of DHS OIG demonstrate that not only can the United States Secret Service not police itself, the Department of Homeland Security is unwilling to hold them accountable for their actions as well. Accordingly, I am referring this matter to the Office of the Attorney General of the United States in the hope that some meaningful action may be taken.

Given that DHS OIG recently determined that the United States Secret Service suspended and revoked a security clearance in retaliation for disclosing alleged violations of Federal anti-discrimination laws (Case Number: I15-USSS-SID-01777), it seems implausible that DHS OIG would refuse to investigate allegations that a disabled USSS applicant's polygraph exam for a security clearance was manipulated and the audio recording of his exam destroyed. It becomes even more disturbing when the original complaint to DHS OIG indicates two individuals identifying themselves USSS Special Agents contacted the complainant informing him that he was not given an ethical polygraph exam, and that the audio recording of his polygraph exam was destroyed. The conduct by DHS OIG is unjustifiable and unsupportable by any measure.

Sincerely,

/s/ [REDACTED]

[REDACTED]

Attachments:

Original Complaint to DHS OIG Inspector General John Roth on 03/17/2017 (4 Pages)

Affidavit of Forensic Evidence of USSS Audio Recording (11 Pages)

cc: President Donald Trump

cc: Attorney General Jeff Sessions

cc: David J. Apol, Acting Director, United States Office of Government Ethics

cc: House Oversight Committee

cc: The Honorable Benjamin L Cardin, The Honorable Chris Van Hollen, The Honorable Dutch Ruppersberger