

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074

<http://oversight.house.gov>

February 25, 2020

Mr. Pat Cipollone
Counsel to the President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20002

Dear Mr. Cipollone:

The Committee on Oversight and Reform has been conducting an investigation of the security clearance process at the White House in response to grave breaches of national security at the highest levels of the Trump Administration. I write to you today regarding recent reports that John McEntee, President Trump's former personal assistant, has been rehired to head the White House Presidential Personnel Office and in that capacity is requesting information about government employees who are seen as "disloyal" to President Trump.¹

On March 13, 2018, Mr. McEntee reportedly was fired and escorted out of the White House, despite being one of President Trump's longest-serving aides. On the day the White House terminated Mr. McEntee, news reports revealed that he "struggled with a gambling addiction" and had been fired because he was "under investigation by the Department of Homeland Security for serious financial crimes."²

As a White House staffer, Mr. McEntee was required to maintain Top Secret clearance eligibility, and he was permitted access to sensitive information in his role as Personal Aide to the President. The National Security Adjudicative Guidelines make clear that in determining whether an individual should be granted access to classified information, criminal conduct, financial considerations, and psychological conditions—including pathological gambling—should be carefully evaluated.³ For example, the Guidelines state:

¹ *Ex-Trump Aide John McEntee to Lead White House Office of Personnel*, Axios (Feb. 13, 2020) (online at www.axios.com/johnny-mcentee-white-house-d1c29eee-8b0a-4c4d-8ba4-9355f3c27f4f.html).

² *Longtime Trump Aide Fired Over Financial Crime Investigation*, CNN (Mar. 13, 2018) (online at www.cnn.com/2018/03/13/politics/john-mcentee-white-house-security-clearance/index.html); *Trump Aide Fired, Under Investigation by Secret Service*, NBC News (Mar. 13, 2018) (online at www.nbcnews.com/politics/donald-trump/trump-s-assistant-out-white-house-heads-campaign-n856196).

³ Office of the Director of National Intelligence, *Security Executive Agent Directive 4, National Security Adjudicative Guidelines* (June 8, 2017) (online at <https://fas.org/sgp/othergov/intel/sead-4.pdf>).

Failure to live within one's means, satisfy debts, and meet financial obligations may indicate poor self-control, lack of judgment, or unwillingness to abide by rules and regulations, all of which can raise questions about an individual's reliability, trustworthiness, and ability to protect classified or sensitive information. Financial distress can also be caused or exacerbated by, and thus can be a possible indicator of, other issues of personnel security concern such as excessive gambling, mental health conditions, substance misuse, or alcohol abuse or dependence. An individual who is financially overextended is at greater risk of having to engage in illegal or otherwise questionable acts to generate funds.⁴

Under the Guidelines, pathological gambling, including unsuccessful attempts to stop gambling, is a psychological condition that could raise a security concern and may disqualify an individual from accessing classified information.⁵

The Guidelines further advise that "evidence (including, but not limited to, a credible allegation, an admission, and matters of official record) of criminal conduct, regardless of whether the individual was formally charged, prosecuted, or convicted," may also disqualify an individual from accessing classified information.⁶

On March 13, 2018, then-Ranking Member Elijah E. Cummings requested documents related to Mr. McEntee's security clearance.⁷ On January 23, 2019, after Rep. Cummings became Chairman, the Committee issued a request for documents relating to the White House's security clearance system—including documents specifically related to Mr. McEntee.⁸ To date, the White House has not provided documents responsive to these requests.

It has now been reported that Mr. McEntee has returned to the White House to head the Office of Presidential Personnel. In his new role, Mr. McEntee oversees the recruiting, selection, and vetting of political appointees at the highest levels. In the course of this task, Mr. McEntee has access to sensitive personal information of applicants, including background investigation documents and disclosures regarding relationships, mental health history, prior drug use, and financial holdings. This responsibility requires sound judgment and the ability to assess whether an applicant's conduct poses any threat to the Office of the President. This responsibility also

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ Letter from Ranking Member Elijah E. Cummings, Committee on Oversight and Government Reform, to Pat Cipollone, Counsel to the President, The White House (Mar. 13, 2018) (online at <https://democrats-oversight.house.gov/sites/democrats.oversight.house.gov/files/2018-03-13.EEC%20to%20WH%20re.John%20McEntee.pdf>).

⁸ Letter from Chairman Elijah E. Cummings, Committee on Oversight and Reform, to Pat Cipollone, Counsel to the President, The White House (Jan. 23, 2019) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2019-01-23.EEC%20to%20Cipollone-WH%20re%20Security%20Clearances.pdf>).

carries with it the risk of abuse—including in the form of improper retaliation against public servants.

President Trump reportedly has empowered Mr. McEntee to “purge the ‘bad people’ and ‘Deep State,’” from the Executive Branch.⁹ Mr. McEntee reportedly “called in White House liaisons from cabinet agencies for an introductory meeting Thursday, in which he asked them to identify political appointees across the U.S. government who are believed to be anti-Trump.”¹⁰ Mr. McEntee “told staff that those identified as anti-Trump will no longer get promotions by shifting them around agencies.”¹¹

These statements from Mr. McEntee are consistent with actions by President Trump to fire or demote individuals like Lt. Col. Alexander Vindman and Director of National Intelligence Joseph Maguire.

Reports of Mr. McEntee’s return to the White House raise significant concerns about whether he is now suitable for such a sensitive position after he was escorted out of the White House and reportedly was unable to maintain a security clearance.¹² Reports that Mr. McEntee is singling out political appointees that are not sufficiently loyal to President Trump for adverse personnel actions suggest that he may be using this role to advance the President’s political agenda rather than ensure the safety, integrity, and effectiveness of the Executive Branch.

For these reasons, I request that you fully comply by March 10, 2020, with the requests for documents relating to Mr. McEntee set forth in the Committee’s letter on January 23, 2019. The Committee also requests a briefing by March 10, 2020, on the history and status of Mr. McEntee’s security clearance, as well as how financial considerations, criminal conduct, psychological conditions are assessed in the White House’s adjudication process.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. In addition, House Rule X, clause 3(i) specifically charges the Committee with conducting oversight of “the operation of Government activities at all levels, including the Executive Office of the President.”

If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

⁹ *Scoop: New White House Personnel Chief Tells Cabinet Liaisons to Target Never Trumpers*, Axios (Feb. 21, 2020) (online at www.axios.com/scoop-white-house-personnel-chief-targets-never-trumpers-2ee51bfd-03f9-4971-8308-863c81ace5f0.html).

¹⁰ *Id.*

¹¹ *Id.*

¹² *John McEntee, Trump Aide, Is Forced Out Over Security Issue, But Joins Re-Election Campaign*, New York Times (Mar. 13, 2018) (online at www.nytimes.com/2018/03/13/us/politics/john-mcentee-trump.html).

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Sincerely,


Carolyn B. Maloney
Chairwoman

cc: The Honorable Jim Jordan, Ranking Member