

United States Senate

WASHINGTON, DC 20510

November 9, 2017

The Honorable Ron Johnson
Chairman
Senate Committee on Homeland Security
and Governmental Affairs
340 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Claire McCaskill
Ranking Member
Senate Committee on Homeland Security
and Governmental Affairs
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Johnson and Ranking Member McCaskill,

We write in regard to the recent *Washington Post* article “White House chief of staff tried to pressure acting DHS secretary to expel thousands of Hondurans, officials say”^[1] and, given these developments, to request an additional hearing on the nomination of White House Principal Deputy Chief of Staff Kirstjen Nielsen to be the next Secretary of the Department of Homeland Security (DHS).

The report details political pressure applied to Acting Secretary of the Department of Homeland Security Elaine Duke after she extended temporary residency permits under the Temporary Protected Status Program to tens of thousands of Honduran immigrants, who faced the possibility of being deported back to a country with one of highest murder rates in the world. According to the report, after the decision had been made, White House Chief of Staff John Kelly called the Acting Secretary and “put massive pressure on her” to reverse her decision. The article specifically indicates that the pressure applied to Acting Secretary Duke was “politically driven.”

Moreover, the article suggests that the White House Chief of Staff’s call was made in part in an attempt to avoid uncomfortable oversight questions for Acting Secretary Duke’s anticipated successor, Ms. Nielsen, before our Committee yesterday at her confirmation hearing. Finally, citing several White House officials, the article says that Acting Secretary Duke informed the White House Chief of Staff that she plans to resign (a contention that the Administration has subsequently contested).

These developments raise important new questions not only about the political interference of the White House in a key national security matter, but also about the qualifications and appropriateness of Ms. Nielsen’s nomination to be the next Secretary of the Department of Homeland Security. For instance, the nominee must now answer questions about her ability to maintain independence from her current immediate superior, the White House

^[1] Miroff, Nick (2017, November 9). White House chief of staff tried to pressure acting DHS secretary to expel thousands of Hondurans, officials say. *The Washington Post*. Retrieved from: https://www.washingtonpost.com/world/national-security/white-house-chief-of-staff-tried-to-pressure-acting-dhs-secretary-to-expel-thousands-of-hondurans-officials-say/2017/11/09/914d3700-c54a-11e7-a441-3a768c8586f1_story.html?tid=ss_tw&utm_term=.da1efdaf72ee

Chief of Staff. She must also account for any role she may have played in this potential act of political interference, as well as whether she has received any specific directives from the White House about actions she will take if confirmed as Secretary.

Moreover, as members of this committee questioned Ms. Nielsen about her ability to manage 240,000 DHS employees, we did so under the assumption that Acting Secretary Duke would be returning to her Senate-confirmed position of Deputy DHS Secretary. In the role of Deputy Secretary, Ms. Duke had served as the Chief Operating Officer, a position critical to running such a large organization and addressing the myriad of management challenges with DHS. Given the possibility, based on news reports, that the Department's Senate-confirmed Deputy Secretary may soon resign, Committee members should be given a chance to revisit Ms. Nielsen's management qualifications in a formal hearing setting.

Moving forward with a Committee vote on the nominee as early as Monday, November 13, inhibits the Committee's ability to adequately address these concerning developments and get adequate answers about the qualifications of the nominee and her involvement in this matter. Consequently, in light of this report, we respectfully request that Ms. Nielsen be required to return to the Committee and answer questions under oath about these concerning developments. We thank you for your consideration of this request.

Regards,



Margaret Wood Hassan
United States Senator



Gary C. Peters
United States Senator



Heidi Heitkamp
United States Senator



Kamala D. Harris
United States Senator



Tom Carper
United States Senator