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May 10, 2017

Chuck Rosenberg  
Acting Administrator  
U.S. Drug Enforcement Administration  
Lincoln Place-West  
700 Army Navy Drive  
Arlington, VA 22202

The Honorable Michael E. Horowitz  
Inspector General  
U.S. Department of Justice  
950 Pennsylvania Ave., N.W.  
Washington, D.C. 20530

Dear Acting Administrator Rosenberg and Inspector General Horowitz:

I write regarding a recent report alleging misconduct by DEA Special Agent Scott Nickerson that began in 2014 when he was working at the U.S. Consulate in Sao Paulo, Brazil.<sup>1</sup> Reportedly, Nickerson sent sensitive DEA documents to his Brazilian girlfriend, Larissa Carvalho, hired prostitutes, and paid for personal vacation travel with federal funds. Following their breakup in late 2015, Nickerson stalked and harassed Carvalho and her friends and family. Carvalho reports that despite making numerous complaints to the DEA and the Justice Department Office of Inspector General (OIG), she received little response and continues to receive threats from Nickerson.

According to reports, Nickerson and Carvalho met in 2014 and began dating. On multiple occasions, Nickerson reportedly asked Carvalho to translate DEA documents that contained sensitive information.<sup>2</sup> Carvalho reports that Nickerson sent her “at least five documents detailing the operations and associates of drug kingpins.”<sup>3</sup> These documents included phone numbers and mobile PIN numbers of the leaders of organized crime units responsible for high volumes of drug trafficking in South America.<sup>4</sup>

Nickerson reportedly disclosed to Carvalho other misconduct by him and other DEA agents. Nickerson told Carvalho that he hired prostitutes when he traveled for work.<sup>5</sup> He also referred to the tinted windows on his government SUV as being useful for engaging in sexual activity.<sup>6</sup> Nickerson apparently used federal funds for personal vacation expenses, calling it

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<sup>1</sup> Daniel Wagner, *Agent of Fear*, BuzzFeed News (May 5, 2017, 3:30 PM), [https://www.buzzfeed.com/danielwagner/she-told-the-dea-its-agent-was-a-stalker-then-things-got?utm\\_term=.yry6lWqzp#.xnM8mLQ3N](https://www.buzzfeed.com/danielwagner/she-told-the-dea-its-agent-was-a-stalker-then-things-got?utm_term=.yry6lWqzp#.xnM8mLQ3N).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

“Obama pay.”<sup>7</sup> Finally, Carvalho reported to the Committee that Nickerson told her that DEA agents in Brazil sometimes took credit for drug seizures by Brazilian authorities to artificially increase their drug seizure statistics in order to obtain funding from Congress.

After Carvalho ended her relationship with Nickerson, he began stalking and threatening her.<sup>8</sup> Reportedly, he followed her and would show up at places she went with friends, including the movies and the gym.<sup>9</sup> Even after Nickerson returned to the United States, he continued to track Carvalho and would send her messages to remind her that he knew her whereabouts.<sup>10</sup> It is unclear whether he may have used DEA resources to facilitate his alleged stalking. On one occasion, he texted Carvalho, “[y]ou had fun shopping today?” to communicate that he knew she had been at the mall.<sup>11</sup> He made threats against her family and friends, in one instance writing about her fiancé, “[i]t would be so sad for you to see your German boyfriend wounded, huh.”<sup>12</sup>

Carvalho claims that she reported her concerns to the Justice Department Office of Inspector General (OIG) and the DEA, but did not receive a response. Only five months later, after she notified the OIG that she had contacted the media, did an OIG special agent acknowledge receipt of her complaints.<sup>13</sup> Even then, despite reportedly calling the OIG special agent at least seven times, she was unable to make contact.<sup>14</sup> However, Nickerson apparently received notice of Carvalho’s complaints to the OIG, which he communicated to Carvalho by emailing her warnings to “keep your mouth shut.”<sup>15</sup> The DEA reports that it initiated an investigation in June 2016, but Nickerson is still employed by the DEA and reportedly has remained free to continue to harass and threaten Carvalho and her friends and family throughout the course of that investigation.<sup>16</sup>

The Committee seeks information about the OIG’s and DEA’s knowledge of this alleged conduct and your respective responses. Accordingly, please provide the following information in writing and schedule a briefing for Committee staff no later than May 24, 2017:

#### Questions for the Drug Enforcement Administration

1. When did the DEA first become aware of the allegations about Special Agent Scott Nickerson’s misconduct?

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<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

2. When did the DEA initiate an investigation into Nickerson's alleged misconduct? What instances of misconduct is the DEA investigating related to the allegations described in this letter?
3. Has the DEA disciplined Nickerson?
4. Does Nickerson still have his security clearance?
5. What steps has the DEA taken to stop Nickerson from threatening people or using DEA resources to engage in stalking Larissa Carvalho and her family and friends?
6. Has the DEA initiated investigations into other DEA agents in Sao Paulo for misconduct described in this letter?
7. Has the DEA disciplined any other agents in Sao Paulo as a result of such investigations?
8. What policies does the DEA have in place to monitor this type of misconduct by agents working abroad?
9. Does the DEA plan to update its policies?

Questions for the Justice Department OIG

1. When did the OIG first become aware of the allegations about Nickerson's misconduct?
2. When did the OIG first take action in response to receiving these allegations? Please explain any responsive actions.
3. Has the OIG recommended any actions to the DEA in response to the allegations?
4. Has the OIG initiated any broader investigations into DEA misconduct, based on the allegations described in this letter?

I anticipate that your written reply and any responsive documents will be unclassified. Please send all unclassified material directly to the Committee. In keeping with the requirements of Executive Order 13526, if any of the responsive documents do contain classified information, please segregate all unclassified material within the classified documents, provide all unclassified information directly to the Committee, and provide a classified addendum to the Office of Senate Security. Although the Committee complies with all laws and regulations governing the handling of classified information, it is not bound, absent its prior agreement, by any handling restrictions or instructions on unclassified information unilaterally asserted by the Executive Branch.

Mr. Chuck Rosenberg  
The Honorable Michael E. Horowitz  
May 10, 2017  
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Thank you in advance for your cooperation with this request. Please number your responses according to their corresponding questions. If you have questions, please contact Samantha Brennan of my Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary

cc: The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary