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WASHINGTON, DC 20510-6275

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January 27, 2016

**VIA ELECTRONIC TRANSMISSION**

The Honorable James B. Comey, Jr.  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, N.W.  
Washington, D.C. 20535

Dear Director Comey:

This Committee has learned of disturbing whistleblower allegations concerning the Miami Field Office (FO) of the Federal Bureau of Investigation (FBI). Specifically, the whistleblower alleges that from 2008 to 2011, the Miami FO mishandled a large-scale undercover operation known as Stagehand. According to the whistleblower, due to the gross negligence of agents in the Miami FO involving the excessive consumption of alcohol, a confidential source by the name of Carlos Gamez was allowed to surreptitiously implant recording devices in 35 physical assets utilized in Stagehand, such as storefronts, offices, apartments, yachts, and planes.

The whistleblower alleges that Gamez was a citizen of Cuba who committed a felony in the U.S. Despite his ineligibility for U.S. permanent residency, Gamez allegedly obtained *two* U.S. green cards through the FBI's influence over U.S. immigration officials. As a result of Gamez's infiltration of Stagehand, the whistleblower alleges that every single investigation or criminal prosecution that involved Stagehand between 2008 and 2011 was compromised. Moreover, the whistleblower alleges that the identity and other sensitive information of FBI undercover agents were disclosed to foreign governments. As an illustrative example, the whistleblower claims that in late 2011 or early 2012, FBI agents from the Miami FO were pulled off a plane and questioned by foreign government officials, while other FBI agents from other field offices who were on the same plane were not.

The whistleblower further alleges that in January 2012, the FBI's Inspection Division (INSD) launched an inspection of the infiltration of Stagehand. However, the whistleblower claims that Dena Choucair, then Assistant Special Agent in Charge of the Miami FO, instructed knowledgeable employees to refrain from providing relevant information to the INSD inspectors. The whistleblower asserts that the resulting INSD report amounted to a cover-up and that the Miami FO "negotiated" with INSD by agreeing to admit to certain findings of fault in exchange for INSD "blotting out" other problematic findings from its report. In addition, the

whistleblower alleges that as part of the cover-up, the FBI blamed Gamez's wife—Noelvis Gamez—for his misdeeds, which resulted in the criminal conviction of his wife.

If any of these disturbing allegations are true, the Committee needs more information about how the FBI handled this matter. By February 10, 2016, please provide a written response to the following questions:

1. Assuming that Stagehand was infiltrated, on what dates did the FBI's INSD conduct an inspection of the Miami FO? And on what date did INSD finalize this report? Please provide a copy of the report.
2. Did the FBI ever inform the Justice Department's Office of Inspector General or Congress about the infiltration of Stagehand and/or the resulting INSD report? If so, when and whom? If not, please explain why not.
3. Did the FBI impose any disciplinary measures on FBI employees as a result of INSD's findings? If so, who were disciplined, when, and what form of discipline was imposed? If not, please explain why not.
4. How many criminal prosecutions resulted from Miami FO's involvement in Stagehand? Please provide a detailed summary of any charges filed, pleas entered, and the outcome of each case.
5. Under FBI's whistleblower regulations,<sup>1</sup> FBI employees have a right to make legally protected disclosures to nine designated entities, including INSD. Will you commit to cooperating with any Inspector General investigation of whether Dena Chouair improperly interfered with this right, as alleged above?
6. Please provide all records related to what role, if any, the FBI may have had in Carlos Gamez's application for U.S. permanent residency.

Should you have any questions, please contact Jay Lim of my Committee staff at (202) 224-5225. Thank you for your cooperation in this important matter

Sincerely,



Charles E. Grassley  
Chairman

cc: The Honorable Patrick Leahy, Ranking Member  
The Honorable Michael E. Horowitz, Inspector General, U.S. Department of Justice

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<sup>1</sup> See 28 C.F.R. Part 27.