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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
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March 19, 2015

**VIA ELECTRONIC TRANSMISSION**

The Honorable Sally Quillian Yates  
Acting Deputy Attorney General  
United States Department of Justice

Dear Acting Deputy Attorney General Yates:

I write with some concern regarding allegations of inappropriate hiring practices within the United States Marshals Services (USMS) Asset Forfeiture Division (AFD). Whistleblowers with specific knowledge of the process<sup>1</sup> have alleged that the AFD improperly waived qualification requirements in order to hire Donald Lenzie as a Senior Forfeiture Financial Specialist (SFFS), a highly paid contractor position.

Information obtained by the Committee suggests that Director Stacia A. Hylton personally recommended Mr. Lenzie for this position and that Kimberly Beal, then AFD Deputy Assistant Director, influenced subordinates to waive contract qualification requirements in order

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<sup>1</sup> As a reminder, denying or interfering with employees' rights to furnish information to Congress is unlawful, 5 U.S.C. § 7211 ("The right of employees, individually or collectively, to petition Congress or a Member of Congress, or to furnish information to either House of Congress, or to a committee or Member thereof, may not be interfered with or denied."), and obstructing a Congressional investigation is a crime, 18 U.S.C. § 1505 ("Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede . . . the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress" "[s]hall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both."). Furthermore, federal officials who deny or interfere with employees' rights to furnish information to Congress are not entitled to have their salaries paid by taxpayers' dollars. Consolidated and Further Continuing Appropriations Act, 2015, Pub. L. No. 113-235, § 713, 128 Stat. 2130 (2014).

to hire him. It is further alleged that Ms. Beal violated these contracting standards in order to receive favorable consideration from Director Hylton in Ms. Beal's effort to become the AFD Assistant Director, a position she now occupies.

This *quid pro quo* exchange of favors, if true, would raise serious doubts about the operational practices of the USMS AFD under Ms. Beal as well as, frankly, Ms. Hylton's leadership of the USMS.

Accordingly, please provide the Committee with a complete written explanation of the circumstances surrounding the hiring of Mr. Lenzie no later than March 26, 2015. Please also include in your response the following information:

1. The resumes of all individuals who have filled the contractor position of SFFS under the USMS AFD contract with Forfeiture Support Associates (FSA).
2. A copy of the current and all previous versions of the contract qualification requirements used to hire SFFS contractors from 2010 to the present. Please mark each version with the date that it became effective.

Should you have questions, please contact DeLisa Lay of my Committee staff at (202) 224-5225. Thank you.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary

Cc: The Honorable Michael E. Horowitz  
Inspector General  
Office of the Inspector General