

# United States Senate

WASHINGTON, DC 20510

February 13, 2018

Ms. Helen M. Albert  
Acting Inspector General  
Office of Inspector General  
Department of Housing and Urban Development  
451 7<sup>th</sup> St SW  
Washington, DC 20410

Dear Inspector General Albert,

We write to request the Office of the Inspector General open a comprehensive investigation into Secretary Ben Carson's actions, and those of his family members, during his tenure as Secretary of the Department of Housing and Urban Development (HUD or the Department) and as the President's nominee. Secretary Carson has requested the Inspector General investigate his son's role in the "listening tour" in Baltimore, yet, numerous sources reported that Secretary Carson's wife, son, and daughter-in law were involved in HUD's decision-making.<sup>1</sup> We believe you should also investigate additional reports that indicate that staff and resources of the Department may have been used to support family members' activities within HUD and in connection with other federal agencies. According to reports, the Secretary defied explicit warnings from legal counsel and political appointees at the Department by allowing his family members to participate in official HUD matters in which they may have a financial interest.

We are particularly disturbed by reports that the Secretary's son, has been deeply involved in the Department's affairs, including appearances in e-mail chains within HUD, attending official meetings and organizing events for the Secretary. On June 14, 2017, legal counsel raised concerns that his son was identifying companies and recommending them directly to HUD for invitations to the Baltimore Listening Tour. Some of those individuals represent companies that may be doing business with Secretary Carson's family members or may be interested in doing business with them. In one report, Secretary Carson's son was seen introducing two individuals, who hoped to pitch HUD on a proposal to use public housing as a site for their for-profit venture, directly to a group of the Secretary's aides.<sup>2</sup> In another report, internal HUD emails showed meetings scheduled for Secretary Carson's family members by HUD staff.<sup>3</sup> In another report, Secretary Carson's son requested that Seema Verma, administrator of the Centers for Medicare

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<sup>1</sup> Eilperin, Juliet and Gillum, Jack. "Using His Position for Private Gain": HUD Lawyers Warned Ben Carson Risked Running Afoul of Ethics Rules by Enlisting Son." *The Washington Post*. January 31, 2018. Available at: [https://www.washingtonpost.com/politics/using-his-position-for-private-gain-hud-lawyers-warned-ben-carson-risked-running-afoul-of-ethics-rules-by-enlisting-son/2018/01/31/bb20c48e-0532-11e8-8777-2a059f168dd2\\_story.html?utm\\_term=.6ad945f5557f](https://www.washingtonpost.com/politics/using-his-position-for-private-gain-hud-lawyers-warned-ben-carson-risked-running-afoul-of-ethics-rules-by-enlisting-son/2018/01/31/bb20c48e-0532-11e8-8777-2a059f168dd2_story.html?utm_term=.6ad945f5557f)

<sup>2</sup> MacGillis, Alec. "Is Anybody Home at HUD?" *New York Magazine*. August 22, 2017. Available at: <http://nymag.com/daily/intelligencer/2017/08/ben-carson-hud-secretary.html>

<sup>3</sup> Summers, Juana, Marsh, Rene, Henderson, Nia-Malika and Ganim, Sara. "Emails Show Carson Family Fingerprints at HUD Despite Warnings." *CNN*. February 2, 2018. Available at: <http://www.cnn.com/2018/02/02/politics/ben-carson-family-hud/index.html>

and Medicaid Services (CMS) be invited to an event. Less than three months later, CMS awarded a \$485,000 no-bid contract to a consulting company whose chief executive is a member of the Secretary's family.<sup>4</sup> HUD officials raised concerns with the Secretary that his family members' continued involvement in HUD's official businesses may give the appearance that the Secretary may be using his position for his family's private gain. Given his family members' extensive role in the Department's decision-making, we request you examine whether these actions violated anti-nepotism statutes.<sup>5</sup> The Office of the Inspector General should examine whether the Secretary's family members would benefit from his official actions, which would constitute a conflict of interest for the Secretary.<sup>6</sup>

Recent reports have indicated that other members of Secretary Carson's family have been engaging in similar activities that may be ethically questionable. Internal HUD emails revealed that family members are actively involved at HUD, and even requested a HUD staffer facilitate a meeting between them and other federal officials.<sup>7</sup> We are troubled by these reports and concerned that they indicate a broader pattern and practice that warrant a comprehensive review of the Secretary's and his family's actions at the Department.

During his confirmation hearing before the Committee on Banking, Housing and Urban Affairs, Secretary Carson testified in response to questions about conflicts of interest stating, "I can assure you that the things I do are driven by a sense of morals and values. And therefore, I will absolutely not play favorites for anyone."<sup>8</sup>

Federal ethics rules have long prohibited government employees from working on matters that affect the personal benefit of their families.<sup>9</sup> However, these reports raise concerns that Secretary Carson's family may stand to benefit financially from his role leading HUD, and may have had access to information that should not be available to individuals who are not government employees. We respectfully request you open a comprehensive review into whether the activities of Secretary Carson and his family may have violated federal law or ethics rules. We urge you to examine what, if any, steps the Secretary and his family took to address the ethics warnings HUD's lawyers and other officials raised and ascertain whether the Secretary and his family took actions to benefit his family's businesses.

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<sup>4</sup> Id.

<sup>5</sup> *Postal Revenue and Federal Salary Act of 1967*, 5 U.S.C. § 3110(b)

<sup>6</sup> 18 U.S. Code § 208(a), Pub. L. 87-849

<sup>7</sup> CNN, February 2, 2018. Available at: <http://www.cnn.com/2018/02/02/politics/ben-carson-family-hud/index.html>

<sup>8</sup> The United States Senate Committee on Banking, Housing and Urban Affairs. "Hearing on the Nomination of Ben Carson to be Housing and Urban Development Secretary." *The United States Senate Committee on Banking, Housing and Urban Affairs*. January 12, 2017.

<sup>9</sup> The United States Department of Justice. "Misuse of Position and Government Resources." *The U.S. Department of Justice Departmental Ethics Office*. Accessed February 5, 2018. Available at: <https://www.justice.gov/jmd/misuse-position-and-government-resources>

We appreciate your timely attention to these potential violations, and we ask that you keep our staff apprised of the progress of your investigation.

Sincerely,



Catherine Cortez Masto  
United States Senator



Sherrod Brown  
United States Senator



Elizabeth Warren  
United States Senator



Mazie K. Hirono  
United States Senator



Jeffrey A. Merkley  
United States Senator