



One Hundred Eighteenth Congress  
Committee on Homeland Security  
U.S. House of Representatives  
Washington, DC 20515

September 21, 2023

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Dear Secretary Mayorkas:

The Committee on Homeland Security (Committee) is conducting oversight of the Department of Homeland Security's (Department) decision-making and creation of its Homeland Intelligence Experts Group, which raises serious concerns about the Department's impartiality and objectivity. On September 19, 2023, the Department announced the establishment of a Homeland Intelligence Experts Group "to provide advice and perspectives on intelligence and national security efforts to the [Department's] Office of Intelligence and Analysis [I&A] and the [Department's] Office of Counter Terrorism Coordinator."<sup>1</sup> The composition of this "Experts Group," includes members who have been criticized for demonstrating political bias.

Multiple members of this newly-formed group, including former Director of National Intelligence James Clapper<sup>2</sup> and former Director of the Central Intelligence Agency John Brennan, signed a discredited public statement on October 19, 2020,<sup>3</sup> that incorrectly implied the *New York Post's* reporting about Hunter Biden's political influence peddling was the product of Russian disinformation.<sup>4</sup> That statement was used by various media organizations and social media businesses to downplay and censor the *Post's* reporting before the 2020 presidential election.<sup>5</sup> Another member of this newly-created group, then-Associate Deputy Attorney General

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<sup>1</sup> Press Release, U.S. Dep't of Homeland Sec., *Secretary Mayorkas Announces Establishment of Homeland Intelligence Experts Group* (Sept. 19, 2023), <https://www.dhs.gov/news/2023/09/19/secretary-mayorkas-announces-establishment-homeland-intelligence-experts-group>.

<sup>2</sup> Kimberly Strassel, *James Clapper's Disinformation*, WALL ST. J. (Feb. 16, 2023), <https://www.wsj.com/articles/the-clapper-disinformation-hunter-biden-intelligence-officials-russia-foreign-business-joe-biden-politico-election-8ce8f0c>.

<sup>3</sup> James Clapper et al., Public Statement on the Hunter Biden Emails (Oct. 19, 2020), available at <https://www.politico.com/f/?id=00000175-4393-d7aa-af77-579f9b330000>.

<sup>4</sup> Emma-Jo Morris & Gabrielle Fonrouge, *Smoking-gun Email Reveals How Hunter Biden Introduced Ukrainian Businessman to VP Dad*, N.Y. POST (Oct. 14, 2020), <https://nypost.com/2020/10/14/email-reveals-how-hunter-biden-introduced-ukrainian-biz-man-to-dad/>.

<sup>5</sup> See, e.g., Joe Concha, *Media's Pre-election Burial of Hunter Biden Story Proves Dereliction of Duty*, THE HILL (Dec. 11, 2020), <https://thehill.com/opinion/white-house/529736-medias-pre-election-burial-of-hunter-biden-story-proves-dereliction-of/>; Elizabeth Dwoskin, *Facebook and Twitter take unusual steps to limit spread of New York*

for the Department of Justice Tashina Gauhar, was extensively involved in the Federal Bureau of Investigation's probe into baseless allegations that former President Trump's campaign colluded with Russia.<sup>6</sup> These are just a few notable examples of concerning actions by some of the members appointed to the group that call into question the group's neutrality.

The Department must ensure that it demonstrates impartiality in all homeland security matters especially at a time when I&A faces numerous challenges to complete its mission to help keep the homeland safe.<sup>7</sup> Your decision to appoint members to this group who have demonstrated political bias suggests misplaced priorities. Rather than focus on addressing the catastrophic border crisis or I&A's shortcomings to live up to its original purpose to equip the Homeland Security Enterprise, especially, our State, Local, Tribal and Territorial law enforcement partners, with timely intelligence and information, these actions appear to politicize the Department's homeland security mission. Therefore, we write to request that you produce the following documents and information as soon as possible, but no later than 5:00 p.m. on October 05, 2023:

1. All documents and communications between or among officials or employees of the Department of Homeland Security and the Executive Office of the President about the establishment of the new Homeland Intelligence Experts Group since January 21, 2021; and
2. Documents sufficient to show the selection process of, and information related to, each of the 17 members of the newly-formed Homeland Intelligence Experts Group, including but not limited to, the criteria used to select the members, any application forms, resumes, status of members' security clearances, and assessments surrounding James Clapper's and John Brennan's discredited October 19, 2020 public statement.

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*Post story*, WASH. POST (Oct. 15, 2020), <https://www.washingtonpost.com/technology/2020/10/15/facebook-twitter-hunter-biden/>.

<sup>6</sup> See generally, U.S. Dep't of Justice, Off. Of Inspector Gen., *Review of Four FISA Applications and Other Aspects of the FBI's Crossfire Hurricane of Investigation* (Dec. 2019), <https://www.justice.gov/storage/120919-examination.pdf>. According to the Department of Justice Office of Inspector General, Ms. Gauhar assisted in the review of at least one renewal application for continued Foreign Intelligence Surveillance on Carter Page. ("Similar to the first application, the renewal application was reviewed by Tashina Gauhar, the Associate Deputy Attorney General responsible for ODAG's national security portfolio . . .").

<sup>7</sup> See, e.g., U.S. Dep't of Homeland Security, Off. of Inspector Gen., *The Office of Intelligence and Analysis Needs to Improve Its Open Source Intelligence Reporting* OIG-22-50 (July 6, 2022); Dep't of Homeland Security, Off. of Inspector Gen., *Major Management and Performance Challenges Facing the Department of Homeland Security* OIG-23-01 (Oct. 27, 2022). Dep't of Homeland Security, Off. of Inspector Gen., *I&A Identified Threats Prior to January 6, 2021, but Did Not Issue Any Intelligence Products before the U.S. Capitol Breach (REDACTED)* OIG-22-29 (Mar. 4, 2022); Dep't of Homeland Security, Off. of Inspector Gen., *The Office of Intelligence and Analysis Needs to Improve Its Open Source Intelligence Reporting* OIG-22-50 (July 6, 2022); Betsy Woodruff Swan, *Documents: DHS Has a Domestic Intelligence Program – And Virtually No One Knows About it*, POLITICO, Mar. 6, 2023, <https://www.politico.com/news/2023/03/06/dhs-domestic-intelligence-program-00085544>; Spencer Reynolds, *Homeland Security's domestic surveillance program needs thorough overhaul*, THE HILL, (Mar. 30, 2023), <https://thehill.com/opinion/civil-rights/3925621-homeland-securitys-domestic-surveillance-program-needs-thorough-overhaul/>; U.S. Gov't Accountability Office, *Office of Intelligence and Analysis Should Improve Privacy Oversight and Assessment of Its Effectiveness* GAO-23-105475 (Aug. 2023).

Additionally, on March 13, 2023, we sent a letter requesting documents and information about I&A.<sup>8</sup> Our requests remain outstanding and have not been sufficiently answered to the Committee's satisfaction. This information is relevant to the Committee's ongoing oversight and legislative reforms. Therefore, we reiterate these outstanding requests and ask that you immediately comply in full.

An attachment contains instructions for responding to this request. To the extent a complete response to this inquiry requires the provision of classified information, please do so under separate cover. Please contact the Committee on Homeland Security Majority staff at (202) 226-8417 with any questions about this request.

Per Rule X of the U.S House of Representatives, the Committee on Homeland Security is the principal committee of jurisdiction for overall homeland security policy, and has special oversight functions of "all Government activities relating to homeland security, including the interaction of all departments and agencies with the Department of Homeland Security."

Thank you for your prompt attention to this important matter.

Sincerely,



MARK E. GREEN, M.D.  
Chairman  
Committee on Homeland Security



AUGUST PFLUGER  
Chairman  
Subcommittee on Counterterrorism,  
Law Enforcement, and Intelligence

Encl.

cc: The Honorable Bennie Thompson, Ranking Member  
Committee on Homeland Security

The Honorable Seth Magaziner, Ranking Member  
Subcommittee on Counterterrorism, Law Enforcement, and Intelligence

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<sup>8</sup> Letter from Rep. Mark E. Green et al., Chairman, H. Comm. on Homeland Sec., to Hon. Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec. (Mar. 13, 2023). The March 13, 2023 letter requested eight categories of information about the Department's Overt Human Intelligence Collection Program operated by I&A, which has raised serious concerns about the Department's overreach of its statutory mandate and potential violations of Americans' fundamental civil liberties. While the Department provided Committee staff a briefing on March 16, 2023 as well responses on March 20, 2023 and May 31, 2023, several of the Committee's requests remain unsatisfied.