

United States Senate

WASHINGTON, DC 20510-2509

September 28, 2023

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, D.C. 20528

Dear Secretary Mayorkas,

I write with deep concern regarding the Department of Homeland Security's (DHS) newly announced "Intelligence Experts Group." According to your Department's press release, this entity will be led by at least three individuals who helped suppress the Hunter Biden laptop story preceding the 2020 U.S. presidential election.¹ Given the composition of its members, this Group seems to constitute yet another effort from the Biden Administration to undermine disfavored speech.

As you know, John Brennan, James Clapper, and Paul Kolbe all signed onto the infamous October 2020 letter, which falsely declared the Hunter Biden laptop story to be "Russian misinformation." This was a clear attempt to aid then-candidate Joe Biden. Recent investigations have revealed text messages and emails that corroborate the corrupt intent behind the letter's publication.² It is therefore baffling that your Department would regard these individuals as having any remaining credibility with respect to intelligence matters.

Enlisting the support of these discredited officials as the nation prepares for the 2024 presidential election appears to signal that DHS will continue its attempts to censor speech that is inconvenient to the current Administration. Of course, your Department tried—and failed—to monitor and censor protected speech through the now-defunct Disinformation Governance Board. But thanks to the Fifth Circuit's ruling in *Missouri v. Biden*, we know that the White House and other agencies violated the First Amendment by coercing social media platforms to censor online speech. I will continue to oppose this Administration's apparent efforts to undermine protected speech. Therefore, I urge you to immediately terminate this so-called "Intelligence Experts Group."

So that Congress can consider remedial legislation, please provide the following information by October 15, 2023:

1. All records related to the Intelligence Experts Group, including but not limited to:

¹ <https://www.dhs.gov/news/2023/09/19/secretary-mayorkas-announces-establishment-homeland-intelligence-experts-group>

² https://judiciary.house.gov/sites/evo-subsites/judiciary.house.gov/files/evo-media-document/2023-05-10_the_hunter_biden_statement_how_senior_intelligence_community_officials_and_the_biden_campaign_worked_to_mislead_american_voters-sm.pdf

- a) written or recorded communications concerning the formation of the Group;
 - b) the agenda or minutes from any meeting at which the Group's formation was discussed;
 - c) any legal review to determine whether the activities of the Group would be authorized by the Constitution of the United States;
 - d) any communications or records about the individuals who would be recruited to serve on the Group;
 - e) any communications with the White House about the formation of the Group or appointment of officials to serve on the Group.
2. For any documents that are responsive to this request but withheld, please identify the name of each document, the date of its creation, the custodian, a summary of its contents, and the basis for withholding the record.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Josh Hawley
United States Senator