



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

June 25, 2024

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) Office of Intelligence and Analysis (I&A), including the Department's decision to form a seemingly rebranded Homeland Intelligence Advisory Board (Board),<sup>1</sup> after previously disbanding the Homeland Security Experts Group (Experts Group) due to litigation.<sup>2</sup> The Committee is concerned that the Department claims the new Board will represent "diverse perspectives" and "without regard for political affiliation," while it seeks to include the "19 members of the Experts Group when constituting the Board."<sup>3</sup> It is also troubling that you "exempted the Board from the public notice, reporting, and open meeting requirements of the Federal Advisory Committee Act."<sup>4</sup> These actions raise serious concerns about the Board's lack of transparency to the Committee and the American public.

On September 21, 2023, the Committee on Homeland Security sent you a letter expressing concern about the Department's decision to create the now disbanded Experts Group, and requesting documents and information about the establishment of the Experts Group and selection process and criteria used to select members.<sup>5</sup> It is our understanding that the newly formed Board simply "builds upon" the Experts Group.<sup>6</sup> The letter highlighted the Committee's concern that the establishment of such a group may not demonstrate impartiality and objectivity

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<sup>1</sup> Press Release, U.S. Dep't of Homeland Sec., *DHS Announces Creation of the Homeland Intelligence Advisory Board*, (May 17, 2024).

<sup>2</sup> On May 2, 2024, the Department of Homeland Security agreed that the Homeland Intelligence Experts Group would be "wound down" and the Department would "not reconstitute the Experts Group inconsistent with the FACA [Federal Advisory Committee Act] or the Homeland Security Act of 2002." See, Joint Notice and Stipulation of Dismissal, No. 1:23-cv-3322-CRC (May 2, 2024).

<sup>3</sup> Press Release, U.S. Dep't of Homeland Sec., *DHS Announces Creation of the Homeland Intelligence Advisory Board*, (May 17, 2024).

<sup>4</sup> *Id.*

<sup>5</sup> Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., and Hon. August Pfluger, Chairman, H. Comm. on Homeland Sec., Subcommittee on Counterterrorism, Law Enforcement, and Intelligence to Alejandro Mayorkas, Secretary, U.S. Dep't of Homeland Sec., (Sept. 21, 2023).

<sup>6</sup> Press Release, U.S. Dep't of Homeland Sec., *DHS Announces Creation of the Homeland Intelligence Advisory Board*, (May 17, 2024).

in furthering the Department's homeland security mission. To date, the Department has failed to provide any substantive response.

The Committee has concerns that participants in the disbanded-Experts Group, and newly-formed Board may provide biased contributions to I&A—possibly hindering efforts to provide useful and timely intelligence to relevant stakeholders, especially at a time when I&A faces serious challenges to complete its mission to help keep the homeland safe.

To assist the Committee with its continued oversight of the Department's I&A and associated matters, please produce documents and information to satisfy the outstanding requests in the Committee's September 21, 2023 letter. In addition, please provide to the Committee the following documents and information as soon as possible, but no later than 5:00 p.m. on July 9, 2024:

1. All documents and communications, including but not limited to, e-mails, text messages, internal memoranda, and guidance, between or among officials or employees of the Department of Homeland Security and the Executive Office of the President, referring or relating to the establishment of the Homeland Intelligence Advisory Board, from January 1, 2024, to the present; and
2. All documents and communications referring or relating to the Department of Homeland Security's assessment of any conflicts of interest for each member of the Homeland Intelligence Advisory Board.

An attachment contains instructions for responding to this request. Please contact the Committee on Homeland Security Majority staff at (202) 226-8417 with any questions about this request.

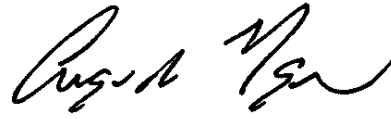
Per Rule X of the U.S House of Representatives, the Committee on Homeland Security is the principal committee of jurisdiction for overall homeland security policy, and has special oversight functions of "all Government activities relating to homeland security, including the interaction of all departments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