

MARK R. WARNER, VIRGINIA, CHAIRMAN
MARCO RUBIO, FLORIDA, VICE CHAIRMAN

DIANNE FEINSTEIN, CALIFORNIA
RON WYDEN, OREGON
MARTIN HEINRICH, NEW MEXICO
ANGUS S. KING, JR., MAINE
MICHAEL F. BENNET, COLORADO
ROBERT P. CASEY, JR., PENNSYLVANIA
KIRSTEN GILLIBRAND, NEW YORK

RICHARD BURR, NORTH CAROLINA
JAMES E. RISCH, IDAHO
SUSAN M. COLLINS, MAINE
ROY BLUNT, MISSOURI
TOM COTTON, ARKANSAS
JOHN CORNYN, TEXAS
BEN SASSE, NEBRASKA

United States Senate

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, DC 20510-6475

CHARLES SCHUMER, NEW YORK, EX OFFICIO
MITCH MCCONNELL, KENTUCKY, EX OFFICIO
JACK REED, RHODE ISLAND, EX OFFICIO
JAMES M. INHOFE, OKLAHOMA, EX OFFICIO

MICHAEL CASEY, STAFF DIRECTOR
BRIAN W. WALSH, MINORITY STAFF DIRECTOR
KELSEY S. BAILEY, CHIEF CLERK

March 16, 2021

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

Dear Secretary Mayorkas:

We write to draw your attention to the “Report on DHS Administrative Review into I&A Open Source Collection and Dissemination Activities During Civil Unrest; Portland, Oregon, June through July 2020,” produced on January 6, 2021, by the Office of the General Counsel of the U.S. Department of Homeland Security. The report raises serious concerns about the Department’s Office of Intelligence and Analysis (I&A) which require a response from Department leadership.

The report details a series of problems related to the legality of I&A operations, I&A’s relationships with other federal as well as state and local authorities, the allocation of resources and personnel, management and the internal climate at I&A, and accountability. We request that the Department provide the Congress an explanation of how it will address each of these issues, the extent to which the Department accepts and intends to implement the recommendations included in the report, and any additional reforms the Department may support. We further request that the Department prepare a version of the report suitable for public release.

We recognize that the administration has not yet nominated an Under Secretary for Intelligence and Analysis. We further recognize that related reviews, in particular that of the Department of Homeland Security Office of Inspector General, are not completed. The Department’s response to the report is nonetheless urgent. The Department’s views are necessary to inform the Senate

Select Committee on Intelligence as it exercises its responsibilities with regard to the codification of I&A's responsibilities and the authorization of its budget. The Committee and the Congress are also confronting the current threat of terrorism and extremism while defending the constitutional rights of Americans, ongoing deliberations that will determine the roles and authorities of the Department and other federal agencies.

Thank you for your attention to this important matter.

Sincerely,



Mark R. Warner
Chairman



Ron Wyden
U.S. Senator



Dianne Feinstein
U.S. Senator



Martin Heinrich
U.S. Senator



Michael F. Bennet
U.S. Senator



Robert P. Casey, Jr.
U.S. Senator



Kirsten Gillibrand
U.S. Senator