

Congress of the United States
Washington, DC 20515

June 12, 2023

The Honorable Antony Blinken
c/o Jonathan C. Su, Esq.
Latham & Watkins LLP
555 11th Street N.W., Suite 1000
Washington, D.C. 20004

Dear Secretary Blinken:

The Committee on the Judiciary and the Permanent Select Committee on Intelligence are conducting oversight of federal law-enforcement and intelligence matters within our respective jurisdictions. On April 20, 2023, we wrote to you, in your personal capacity, requesting your voluntary cooperation with our oversight by providing documents and information regarding the infamous public statement signed by 51 former intelligence officials that falsely discredited a *New York Post* story regarding Hunter Biden's laptop and emails as supposed Russian disinformation.¹ We received a reply letter from your attorney on May 4, 2023, which set forth several reasons why you believe you do not need to cooperate, and therefore was unresponsive to our request.² Accordingly, we respectfully write to reiterate our request for your voluntary cooperation.

Notably, the response letter sent on your behalf did not dispute the central facts at issue—that you, while serving as a senior advisor to the Biden campaign, contacted Michael Morell, a former Deputy Director of the Central Intelligence Agency (CIA), about the Hunter Biden laptop story, which set in motion the events that led to the issuance of the public statement.³ The letter did not dispute that you emailed Mr. Morell a *USA Today* article containing the signature block of Andrew Bates, who served at the time as the Director of Rapid Response for the Biden campaign.⁴ It also did not dispute evidence obtained by the Committees that the Biden campaign chairman thanked Mr. Morell for organizing the statement.⁵

¹ Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, & Rep. Michael R. Turner, Chairman, H. Perm. Sel. Comm. on Intel., to Hon. Antony Blinken, Sec., U.S. Dep't of State (Apr. 20, 2023) [hereinafter "Letter from Reps. Jordan & Turner"].

² See Letter from Jonathan C. Su, Lathan & Watkins LLP, to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, & Rep. Michael R. Turner, Chairman, H. Perm. Sel. Comm. on Intel. (May 4, 2023) [hereinafter "Letter from Su"].

³ Letter from Su, *supra* note 2.

⁴ *Id.*

⁵ *Id.*

Instead, the response letter set forth a strawman argument that you “did not solicit the letter in question,” referring to the public statement about Hunter Biden’s laptop.⁶ We, however, did not allege in our letter that you solicited the statement. As we explained, the Committees’ oversight revealed how your outreach to Mr. Morell “set in motion the events that led to the issuance of the public statement.”⁷ Mr. Morell testified that at the time of your phone call to him he had not been aware of the *New York Post* story about Hunter Biden and that your outreach “triggered” his intention to prepare a public statement.⁸ The most logical inference from these facts is that the public statement about Hunter Biden’s laptop would not have happened if not for your outreach to Mr. Morell.

Although Mr. Morell denied that the Biden campaign asked him to prepare a statement, the actual record on this point is not as clear as your response letter claims, relying, as it does, on selective leaks from the Committees’ minority members.⁹ Indeed, Marc Polymeropoulos, who assisted Mr. Morell in preparing the statement, testified to the Committees that Mr. Morell “did mention to me that someone in the kind of Biden world had asked about doing this.”¹⁰ He elaborated: “Morell said to me, that someone from kind of the Biden world has asked for this. And he did not tell me who it was or any other kinds of details of it.”¹¹ Similarly, James Clapper, former Director of National Intelligence, testified to the Committees that former CIA Director John Brennan told him “that Tony Blinken had reached out to Michael [Morell] about putting together a public statement.”¹²

From this testimony, it is clear that your outreach to Mr. Morell resulted in the drafting and issuance of the public statement, which had the goal of giving the Biden campaign a “talking point to push back on [President] Trump” during the final presidential campaign.¹³ These actions deprived the American people of the opportunity to make a fully informed decision during the 2020 presidential election.¹⁴ By exploiting their national security credentials, Mr. Morell and the other signatories suggested access to classified information unavailable to other Americans, bolstering the false appearance that Hunter Biden’s laptop and emails were the product of

⁶ *Id.*

⁷ Letter from Reps. Jordan & Turner, *supra* note 1, at 2.

⁸ See Letter from Reps. Jordan & Turner, *supra* note 1. See also H. COMM. ON THE JUDICIARY, SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FEDERAL GOV’T, & PERM. SEL. COMM. ON INTEL., THE HUNTER BIDEN STATEMENT: HOW SENIOR INTELLIGENCE COMMUNITY OFFICIALS AND THE BIDEN CAMPAIGN WORKED TO MISLEAD AMERICAN VOTERS (May 10, 2023) [hereinafter “THE HUNTER BIDEN STATEMENT”].

⁹ Letter from Su, *supra* note 2. Your reliance on a *Washington Post* opinion piece is similarly unpersuasive. The author wrote, which you quoted, that our letter “appears to have omitted key context, including whether Blinken actually pushed for such a statement.” As explained, our letter did not claim that you “pushed for such a statement,” and our oversight, of course, is not limited to whether you *pushed* Mr. Morell to prepare a statement about the Hunter Biden laptop.

¹⁰ Transcribed interview of Marc Polymeropoulos at 17.

¹¹ *Id.* at 21.

¹² Transcribed Interview of Mr. James Clapper at 16-17.

¹³ Email from Michael Morell to John Brennan (Oct. 19, 2020, 9:29 AM) (on file with the Committees). See also THE HUNTER BIDEN STATEMENT, *supra* note 8, at 11-12.

¹⁴ Letter from Reps. Jordan & Turner, *supra* note 1.

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Russian disinformation.¹⁵ Whether you explicitly solicited the letter or not, the Committees' record is clear that you played a key role in the inception of this statement.


We appreciate your respect for Congressional oversight to inform potential legislative reforms.¹⁶ The Supreme Court has recognized that Congress has a "broad and indispensable" power to conduct oversight, which "encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic or political system for the purpose of enabling Congress to remedy them."¹⁷ The Committees have an oversight interest in this matter to inform potential legislative reforms in the House. Potential legislative reforms may include, among other things, restrictions on how federal employees with security clearances may use their clearances or may access classified information following their departure from government. The Committees may also consider legislative proposals that would prevent U.S. intelligence agencies from engaging in, coordinating, or promoting any political activity related to federal elections, including candidates for federal office or campaigns, as well as strengthening or amending the Hatch Act. The information we have requested is necessary to help inform this potential legislation.

Accordingly, the Committees' requests as outlined in our April 20, 2023, letter remain outstanding. We respectfully request that you produce this material as soon as possible but no later than 5:00 p.m. on June 26, 2023. The Committees may consider the use of compulsory process if these requests remain outstanding beyond that date.

Thank you for your attention to this matter.

Sincerely,


Jim Jordan
Chairman
Committee on the Judiciary


Michael R. Turner
Chairman
Permanent Select Committee on
Intelligence

cc: The Honorable Jerrold L. Nadler, Ranking Member, Committee on the Judiciary
The Honorable Jim Himes, Ranking Member, Permanent Select Committee on
Intelligence

¹⁵ See, e.g., Natasha Bertrand, *Hunter Biden story is Russian disinfo, dozens of former intel officials say*, POLITICO (Oct. 19, 2020). Your appeal to the warnings of "many experts" about Russian involvement in the 2020 election, see Letter from Su, *supra* note 2, is also unpersuasive and not an appropriate basis on which to decline to cooperate with our oversight. Notably, you omitted then-Director of National Intelligence John Ratcliffe's statement that Hunter Biden laptop was *not* Russian disinformation. Mark Moore, *DNI John Ratcliffe says info on Hunter Biden laptop isn't Russian disinformation*, N.Y. POST (Oct. 19, 2020).

¹⁶ Letter from Su, *supra* note 2.

¹⁷ See, e.g., *Trump v. Mazars LLP*, No. 19-715 at 11 (U.S. slip op. July 9, 2020) (internal quotation marks and citations omitted).