



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

October 26, 2019

The Honorable Kevin K. McAleenan
Acting Secretary of Homeland Security
Washington, DC 20528

Dear Acting Secretary McAleenan:

I was disappointed, but unfortunately not surprised, to receive your letter yesterday. I write to set the record straight and to urge you to comply with the Committee's subpoena.

Let me be clear – the issuance of a subpoena was neither precipitous nor without warning, and any assertion to the contrary is disingenuous at best. As you know, the Committee has attempted since July 24, 2019, on a bipartisan basis, to secure your participation at its annual hearing examining worldwide terrorism threats to the homeland. The Committee had planned to hold the hearing on September 10, 2019, to coincide with the 9/11 anniversary. The Department declined. On August 28, 2019, Ranking Member Mike Rogers and I sent you a letter urging your participation at the hearing the following month. The Department again declined. After extensive negotiations, the Committee agreed to the Department's request to hold the hearing on October 30, 2019. Then, the very week before the hearing, the Department reneged on its agreement. Further efforts in recent days to urge the Department to reconsider were not constructive. Only after those efforts failed, three months after the Committee began trying to secure your testimony at this important hearing, was a subpoena issued.

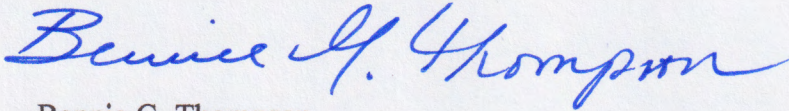
Contrary to your letter, the Department did not offer to have your successor testify before the Committee in the near future. Also contrary to your letter, the subpoena was not issued through an "irregular process." It was issued in compliance with the rules of the Committee and the House of Representatives. I would caution against relying on faulty information provided by others to justify not complying with the subpoena.

The Constitution entrusts oversight of the Executive Branch to Congress, and as Chairman I take this responsibility seriously. Just as importantly, the American people have a right to hear from those charged with securing the homeland, particularly given threats posed by ISIS fighters released from prison after President Trump's withdrawal of U.S. troops from Syria, the rising incidence of domestic terrorism-related mass shootings across the country, and Russia's persistent attempts to meddle in the upcoming 2020 elections, now just a year away.

It was not until after the Committee issued the subpoena that you informed me October 31 would be your last day as Acting Secretary and asserted you could not testify on your "penultimate day." I recognize the need for an orderly transition, particularly since your still-unnamed successor will be the Department's fifth Secretary in less than three years. Indeed, the Committee has serious questions about how the unprecedented upheaval at Secretary and persistent vacancies across Department leadership are affecting DHS's ability to respond to threats facing the homeland. You are uniquely positioned to speak to these concerns, making it important for you to testify before Congress prior to your departure.

Finally, I would note that in the waning days of your tenure at the Department you found time to answer questions for a lengthy interview with the Washington Post. The United States Congress should be able to expect no less from the Acting Secretary of Homeland Security. Again, I urge you to comply with the subpoena and testify before the Committee on Homeland Security on October 30, 2019.

Sincerely,



Bennie G. Thompson
Chairman

cc: The Honorable Mike Rogers, Ranking Member