

Congress of the United States

Washington, DC 20515

January 10, 2023

The Honorable Avril Haines
Director of National Intelligence
Office of the Director of National Intelligence
Washington, D.C. 20511

Dear Director Haines:

I write to request an immediate review and damage assessment following numerous reports that then Vice President Biden removed, and then retained highly classified information at an undisclosed and unsecure non-government office in Washington, D.C., for a period of at least six years. It has been reported that a portion of the materials at issue were marked “sensitive compartmented information,” indicating the highest classification and most sensitive intelligence information in our government. This discovery of classified information would put President Biden in potential violation of laws protecting national security, including the Espionage Act and Presidential Records Act. Those entrusted with access to classified information have a duty and an obligation to protect it. This issue demands a full and thorough review.

Under Intelligence Community (IC) directives issued by your office, damage assessments are used “to evaluate actual or potential damage to national security resulting from the unauthorized disclosure or compromise of classified national intelligence.” IC Directive 732 states: In cases where the unauthorized disclosure or compromise involves classified national intelligence originating from or otherwise affecting more than one IC element or U.S. Government department or agency, there will be a Community damage assessment. Such damage assessments shall include participation and support from the affected IC elements and other representatives as directed by the DNI.

The Directive charges DNI’s National Counterintelligence Executive to “[o]versee and coordinate equity reviews and formal damage assessments within the IC” and “[l]ead, when designated by the DNI, or facilitate damage assessment teams when the unauthorized disclosure or compromise involves classified national intelligence affecting more than one IC element or U.S. Government department or agency.”

We request that you instruct the National Counterintelligence Executive, in consultation with the Inspector General of the Intelligence Community and other Inspectors General as appropriate, to conduct a damage assessment. In addition, we ask that you commit to providing, as soon as possible, this Committee with an appropriate classified briefing on the conduct of the damage assessment.

Sincerely,



Michael R. Turner
Member of Congress