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One Hundred Eighteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515

June 20, 2023

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Secretary Blinken:

I wrote to you on June 8, 2023 about the Department of State's (the Department) ongoing failure to produce documents and information regarding the Afghanistan withdrawal, warning you that I was prepared to initiate compulsory process should you fail to produce three specific priority items by June 15, 2023.¹ As outlined in my previous letter, these documents are critical and material to the House Foreign Affairs Committee's (the Committee) investigation of the deadly and chaotic withdrawal, including to inform potential legislation and budgetary decisions.

While I appreciate the Department producing one priority document by the deadline, its official response failed to even address the other two: (1) the Afghanistan After-Action Review (AAR) files and (2) the official request/order initiating a Noncombatant Evacuation Operation (NEO) in Afghanistan, as well as any clearance package and/or accompanying transmission documents. This is unacceptable. **If the Department does not produce these outstanding items by June 26, 2023, I plan to proceed with a subpoena to compel their production.**

The Committee's request for the Afghanistan AAR Files is a longstanding one, dating back to January 12, 2023, when I requested "[a]ll documents resulting from State Department internal reviews related to the Afghanistan withdrawal[.]"² On January 30, Committee staff provided the Department a list of initial priorities, identifying the Department's AAR as one of three specific, easily identifiable priority items to be produced no later than February 7, 2023.

The Department failed to comply with this deadline, but eventually provided the AAR on April 6, 2023, to prevent the issuance of a subpoena following my March 3 and March 20 letters

¹ Letter from Michael T. McCaul, Chairman, U.S. House of Rep. Comm. on Foreign Affs. (HFAC), to the Hon. Anthony Blinken, Sec'y of State, U.S. Dep't of State (June 8, 2023) (June 8 Letter).

² Letter from Michael T. McCaul, Chairman, HFAC, to the Hon. Anthony J. Blinken, Sec'y of State, U.S. Dep't of State (Jan. 12, 2023) (Jan. 12 Letter).

warning that continued noncompliance would result in the initiation of compulsory process.³ However, the Department did not meet the terms of my request, which called for a “current draft of the After-Action Report prepared under Ambassador Daniel Smith (including any associated documents such as exhibits or appendices)” in complete and unredacted form.⁴ The AAR references a set of documents titled the “Afghanistan AAR files,” describing it as “an electronic and paper collection of all the materials the review team consulted and cited to prepare its report.”⁵ To comply in good faith with the Committee’s request, the AAR files should have been produced along with the AAR itself, given that they are clearly such associated documents.

On April 25, 2023, the Committee specifically requested that the Department produce the Afghanistan AAR files “in complete and unredacted form” no later than May 5, 2023.⁶ This deadline elapsed with no response from the Department. On May 23, 2023, Oversight & Accountability Subcommittee Chairman Brian Mast and Committee staff raised the need to produce the Afghanistan AAR files in a meeting with Deputy Secretary for Management and Resources Richard Verma.⁷ Despite repeated requests, including my recent June 8 letter warning of a potential subpoena, the Department has still failed to produce it.

The Department has also failed to address the Committee’s June 8 request for “the official order initiating a NEO in Afghanistan, as well as any clearance package and/or accompanying transmission documents.” This request dates back to my January 12, 2023 document request, which requested “[a]ll planning and decisional documents and communications referring or relating to the evacuation of American citizens and other U.S. persons from Afghanistan.”⁸ The production of this item should include any request from the Executive Secretary of the Department to the Executive Secretary of the Department of Defense for a military-assisted departure or NEO, from Kabul, Afghanistan.⁹

The Committee reiterates the following requests for documents and information:

1. The Afghanistan AAR files, including all underlying and source documents; and
2. The official order/request initiating a NEO in Afghanistan, as well as any clearance package and/or accompanying transmission documents, including any request from the

³ Letter from Michael T. McCaul, Chairman, HFAC, to the Hon. Antony J. Blinken, Sec’y of State, U.S. Dep’t of State (Mar. 3, 2023) (March 3 Letter); Letter from Michael T. McCaul, Chairman, HFAC, to the Hon. Anthony J. Blinken, Sec’y of State, U.S. Dep’t of State (Mar. 20, 2023).

⁴ See June 8 Letter, *supra* note 1.

⁵ See March 3, Letter, *supra* note 3.

⁶ Letter from Michael T. McCaul, Chairman, HFAC, to the Hon. Antony J. Blinken, Sec’y of State, U.S. Dep’t of State (Apr. 25, 2023).

⁷ Meeting between Brian Mast, Subcomm. Chairman, Oversight and Accountability, HFAC, & Richard Verma, D-MR, U.S. Dep’t of State, in Washington, D.C. (May 23, 2023).

⁸ See Jan. 12 Letter, *supra* note 2.

⁹ DEP’T OF STATE AND DEF., MEMORANDUM OF AGREEMENT BETWEEN THE DEP’T OF STATE AND DEFENSE ON THE PROT. AND EVACUATION OF U.S. CITIZENS AND NAT’LS AND DESIGNATED OTHER PERSONS FROM THREATENED AREAS OVERSEAS (1998), <https://prhome.defense.gov/Portals/52/Documents/PR%20Docs/DOS-DOD%20Memo%20of%20Agreement%20on%20Protection%20and%20Evacuation.pdf>.

Executive Secretary of the Department of State to the Executive Secretary of the Department of Defense.

Please provide **all** documents responsive to this request no later than 5:00 PM EST on June 26, 2023, **in complete and unredacted form. In the event the Department fails to comply with this request, the Committee plans to proceed with compulsory process.**

If you have any questions about this request, your staff may contact Committee staff at (202) 226-8467. Thank you for your attention to this matter.

I look forward to your prompt reply.

Sincerely,



Michael T. McCaul
Chairman
House Foreign Affairs Committee

CC:

Rep. Gregory W. Meeks, Ranking Member
House Foreign Affairs Committee