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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

September 8, 2023

The Honorable Joseph R. Biden
President of the United States
1600 Pennsylvania Avenue, NW
Washington, DC 20502

Dear Mr. President:

The House Committee on Foreign Affairs is continuing to investigate the Biden Administration's August 2021 withdrawal from Afghanistan. The Committee requests that John Kirby, Coordinator for Strategic Communications at the National Security Council, appear for a transcribed interview. Admiral Kirby is a critical witness for this investigation given his significant involvement in matters related to Afghanistan in his current role and his previous role as Assistant Secretary of Defense for Public Affairs.

Please arrange by no later than 5:00 p.m. EDT on September 18, 2023 for this transcribed interview to be scheduled.

Congress' oversight powers are derived from the U.S. Constitution and have been repeatedly affirmed by the United States Supreme Court.¹ Under House Rule X, the Committee has legislative and oversight jurisdiction over “[r]elations of the United States with foreign nations generally,” “[d]iplomatic service,” and “[p]rotection of American citizens abroad and expatriation.”² Furthermore, 22 U.S.C. § 2680 states, “The Department of State shall keep the

¹ See generally U.S. CONST. art. I, § 8, cl. 8; *McGrain v. Daugherty*, 273 U.S. 135, 174 (1927) (holding that “the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function”); *Eastland v. U.S. Servicemen's Fund*, 421 U.S. 491, 504 (1975) (holding that “the power to investigate is inherent in the power to make laws”); *Barenblatt v. United States*, 360 U.S. 109, 111 (1959) (holding that “the scope of power of inquiry ... is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution.”).

² *Rules of the House of Representatives: One Hundred Eighteenth Congress*, U.S. HOUSE OF REP. 7 (Jan. 10, 2023), <https://rules.house.gov/sites/republicans.rules118.house.gov/files/documents/Rules%20and%20Resources/118-House-Rules-Clerk.pdf>.

Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives fully and currently informed with respect to all activities and responsibilities within the jurisdiction of these committees. *Any Federal department, agency, or independent establishment shall furnish any information requested by either such committee relating to any such activity or responsibility.*³

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

³ 22 U.S.C. § 2680(b) (emphasis added).