

Congress of the United States

Washington, DC 20515

December 18, 2020

Mr. Ron Klain
Biden-Harris Transition Team
1401 Constitution Ave. NW
Washington, DC 20230

Dear Mr. Klain:

The Biden-Harris Transition Team continues to announce individuals it proposes to nominate for positions in a Biden-Harris Administration. If confirmed for these positions, these individuals will be tasked with helping the President of the United States carry out his Oath of Office.¹

Several of the individuals that the Biden-Harris Transition Team has proposed raise concerns about whether they are suited to assist the President in carrying out his constitutional duties. In light of these concerns, we write to request information to ensure full transparency and accountability with these potential nominees.

Current Proposed Nominees of Concern

Mr. Antony Blinken, who has been proposed to be Secretary of State, cofounded a consulting firm, WestExec Advisors, which has foreign ties and undisclosed clients, for which it performs ambiguous work. Both WestExec and the Biden-Harris Transition Team recognize these factors could harm Mr. Blinken's nomination. WestExec reportedly scrubbed references from its website to its China-related work before Mr. Blinken was proposed as the Secretary of State nominee in a Biden-Harris Administration.² Before it was scrubbed, WestExec Advisors highlighted on its website its "work helping major American universities court donations in China without jeopardizing Pentagon-funded research grants."³ And while WestExec Advisors has been helping U.S. businesses expand in China,⁴ Mr. Blinken has signaled he believes the U.S. should work to build a better relationship with China.⁵ If Mr. Blinken becomes our nation's top diplomat, his possible financial ties to China are disconcerting, especially when China has consistently, both overtly and covertly, sought to undermine American interests.

¹ The U.S. CONST., art. II, §2.

² Yuichiro Kakutani, *Dem Cabinet Nom for State Department Cofounded Consulting Firm WestExec*, WASH. FREE BEACON, Dec. 2, 2020, available at [Biden-Linked Firm WestExec Scrubs China Work From Website - Washington Free Beacon](#).

³ *Id.*

⁴ *Id.*

⁵ Evelyn Chang, *Biden's Pick for Foreign Policy Head Affirms a Push to Get Allies on Board with U.S. Policy on China*, CNBC, Nov. 24, 2020, available at <https://www.cnbc.com/2020/11/24/bidens-blinken-pick-implies-changes-for-us-foreign-policy-on-china.html>.

Notably, the Biden-Harris Transition Team has omitted Mr. Blinken's role and relationship with WestExec Advisors from his biography on the transition website.⁶ Further, many of WestExec's principals and advisors have refused to release its client lists.⁷ And they have obscured the exact nature of their consulting work for their clients.⁸ Mr. Blinken's, WestExec's, and the Biden-Harris Transition Team's lack of transparency regarding Mr. Blinken's qualifications, background, and experience for the Secretary of State position raises additional questions, particularly about his possible conflicts of interest.

Mr. Alejandro Mayorkas, the Biden-Harris team's proposed nominee for Secretary of the Department of Homeland Security has previously served as the Director for the U.S. Citizenship and Immigration Services (USCIS) during the Obama Administration. Because of his actions at USCIS, Mr. Mayorkas was the focus of a "scathing inspector general report [which] found that he intervened to help foreign investors in the EB-5 visa program who were connected to top Democrats."⁹ Basically, Mr. Mayorkas was accused of selling green cards to Chinese investors connected to wealthy Democrat donors, including then-Senate Majority Leader Harry Reid, former Democratic National Committee Chairman Terry McAuliffe, and former Democratic Pennsylvania Governor Ed Rendell.¹⁰ According to the DHS Inspector General, Mr. Mayorkas used his official government position to provide Democrat donors preference in connection with a government visa program.¹¹ He created an "appearance of favoritism and special access,"¹² and he undermined the tenets of public service by providing favors to a usual cast of Democrat politicians.¹³ Mr. Mayorkas' pattern of favoring individuals and donors from his own party raises concerns about his independence and impartiality.

Mr. Mayorkas also participated in instituting and furthering one of the biggest political and humanitarian lightning rods of recent years—family detention at the border. According to the *Washington Times*, Mr. Mayorkas was deputy secretary, serving under Secretary Jeh Johnson, when DHS grappled with the first surge of migrant children and families in 2014 and 2015. DHS dramatically expanded family detention—from 100 beds to 3,000—and built the chain-link fence pens, now derided as "cages," used to hold immigrants who were in the country

⁶ Biden-Harris Transition, Nominees and Appointees, Antony Blinken, *available at* <https://buildbackbetter.gov/nominees-and-appointees/antony-blinken/>, last accessed, December 4, 2020.

⁷ *Id.*

⁸ *Id.*

⁹ Evie Fordham, "Biden DHS pick Mayorkas intervened to help Democrat-connected foreign investors: IG," *FoxNews.com*, November 24, 2020, *available at*, <https://www.foxnews.com/politics/biden-dhs-pick-mayorkas-intervened-democratic-connected-eb5-investors>.

¹⁰ Michael Lee, *Biden DHS Nominee was Subject of Inspector General Report Claiming He Assisted Foreign Investors Tied to Top Democrats*, WASH. EXAM. Nov. 25, 2020, *available at* <https://www.washingtonexaminer.com/news/biden-dhs-nominee-was-subject-of-inspector-general-report-claiming-he-assisted-foreign-investors-tied-to-top-democrats>.

¹¹ Dep't of Homeland Security Off. of Inspector Gen., *IG Investigation of Employee Complaints Regarding Management of USCIS' EB-5 Program*, (Mar. 24, 2015), *available at*, [Investigation into Employee Complaints about Management of U.S. Citizenship and Immigration Services' EB-5 Program \(dhs.gov\)](https://www.dhs.gov/ig-investigation-of-employee-complaints-regarding-management-of-uscis-eb-5-program).

¹² *Id.*

¹³ Fordam, *supra* note 12.

illegally at the border.¹⁴ While Democrats have derided President Trump for his border policies toward families and children, Mr. Mayorkas is one of the Obama-era officials who expanded family detention at the border and built the infamous “cages” to hold many of these immigrants.

Ms. Neera Tanden has been proposed to be the Director of the Office of Management and Budget (OMB). Ms. Tanden’s unsettling background includes bullying, outing a victim of sexual harassment, making viciously partisan statements, and overall, exhibiting poor leadership. Similarly concerning are her think tank’s ties to deep-pocketed corporate interests.

Ms. Tanden has a history of poor leadership decisions. In 2008, when she was a senior aide on Hillary Clinton’s presidential campaign, she allegedly pushed and/or hit a reporter when the reporter asked Clinton about her support for the Iraq War.¹⁵ At the Center for American Progress (CAP), a liberal think tank she has led for nine years,¹⁶ Ms. Tanden named an anonymous victim at the center of sexual-harassment allegations, which were part of a BuzzFeed News investigation’s into CAP’s failure to address such allegations.¹⁷ She also has made hundreds of very partisan and personal statements, especially critical of Republican lawmakers. As an acknowledgment of this pattern, Ms. Tanden apparently deleted over 1,000 tweets from her Twitter account since November 1, 2020.¹⁸

Further, under Ms. Tanden’s management, CAP cultivated relationships with many powerful sectors in corporate America from Wall Street to Silicon Valley. According to reports, between 2014 and 2019, “CAP received at least \$33 million in donations from firms in the financial sector, private foundations primarily funded by wealth earned on Wall Street and in other investment firms.”¹⁹ Silicon Valley companies and foundations also donated between \$4.9 million and \$13 million to CAP during that same time period.²⁰ Ms. Tanden was heavily involved in cultivating these relationships, personally pitching prospective benefactors and speaking at fundraising events.²¹ Her deep ties with corporate interests raises questions about whether she could be an impartial and independent public servant.

¹⁴ Stephen Dinan, *Biden selects architect of DACA to lead DHS*, WASH. TIMES, Nov. 24, 2020, available at, <https://www.washingtontimes.com/news/2020/nov/23/joe-biden-picks-alejandro-mayorkas-architect-daca/>.

¹⁵ Elizabeth Williamson and Kenneth Vogel, *The Rematch: Bernie Sanders vs. a Clinton Loyalist*, NY Times, Apr. 15, 2019, available at [The Rematch: Bernie Sanders vs. a Clinton Loyalist - The New York Times \(nytimes.com\)](https://www.nytimes.com/2019/04/15/politics/bernie-sanders-clinton-loyalist.html).

¹⁶ Kate Duffy, *Why Neera Tanden, Biden’s New Pick for a Top Economic Role, Has Been called a Terrible Leader and “Impossible to Trust” by some of her Former Colleagues*, Business Insider (Nov. 30, 2020), available at [Neera Tanden, Biden OMB pick, awful leader: ex-colleagues - Business Insider](https://www.businessinsider.com/neera-tanden-biden-omb-pick-awful-leader-ex-colleagues-2020-11).

¹⁷ *Id.*

¹⁸ Emily Jacobs, *Neera Tanden deletes over a thousand tweets amid Biden OMB nomination*, N.Y. Post, Dec. 1, 2020, available at [Neera Tanden deletes over 1K tweets amid OMB nomination \(nypost.com\)](https://nypost.com/2020/12/01/neera-tanden-deletes-over-1k-tweets-amid-omb-nomination/).

¹⁹ Yeganeh Torbati and Beth Reinhard, *Neera Tanden, Biden’s Pick for Budget Chief, Runs a Think Tank Backed by Corporate and Foreign Interests*, WASH. POST, Dec. 5, 2020, available at [Neera Tanden’s tenure at CAP faces new scrutiny after Biden picks her to lead OMB - The Washington Post](https://www.washingtonpost.com/news/energy-environment/wp/2020/12/05/neera-tanden-biden-budget-chief-think-tank-corporate-foreign-interests/).

²⁰ *Id.*

²¹ *Id.*

Requests for Transparency Related to Blinken, Mayorkas, & Tanden

Americans deserve to know the qualifications and experience of the unelected officials nominated to serve them. Public servants must be impartial and impervious to outside influences. To assist the Committee—and the American people—in understanding the background, qualifications, and experience of the foregoing individuals, please provide information sufficient to answer the following questions by December 30, 2020:

1. Have any of these potential nominees had clients who are foreign governments or performed services, including lobbying or consulting, on behalf of a foreign government or a firm performing such services? If so, please provide a list of the foreign government client, the types of work performed, and/or the firm at which the services were performed.
2. Have any of these potential nominees performed work for clients that are foreign-owned or directed? If so, please provide a list including the names of the client(s) and the describe the type of work performed.
3. Are any of these potential nominees planning to recuse or divest from any corporate board or entity (domestic or foreign) prior to serving in a Biden-Harris Administration? If so, please provide a list of which nominees and the entity from which he or she will recuse or divest.
4. Please disclose the amount of compensation received as a result of any consulting, lobbying, or other work performed by any of these nominees.
5. Do any of these potential nominees have conflicts of interest posed by work performed by government contractors or outside interests? If so, please provide a list of the employing entity, the work performed, and identify the contractor(s) or firm.
6. Have any potential nominees been the subject of any workplace complaints? Please identify the potential nominee, the allegation, and any resolution?
7. Have any of these potential nominees deleted social media material either two weeks prior to the November 3, 2020, election or since the election? If so, why?

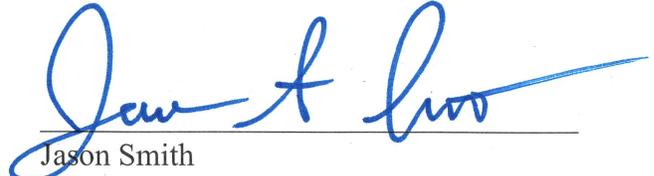
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The American people deserve officials who accept these important roles to be committed to public service and upholding the Constitution, and not cater to foreign or special interests. As more announcements are made, we will follow up new additional requests for information.

Sincerely,



James Comer
Ranking Member
House Committee on Oversight and Reform



Jason Smith
Ranking Member-Elect
House Committee on the Budget

cc: The Honorable Carolyn B. Maloney, Chairwoman
House Committee on Oversight and Reform

The Honorable John Yarmuth, Chairman
House Committee on the Budget