

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951
judiciary.house.gov

December 1, 2022

Ms. Nina Jankowicz
Sophias Strategies LLC

[REDACTED]
[REDACTED]

Dear Ms. Jankowicz:

On May 5, 2022, we wrote to you requesting documents and information relating to the so-called “Disinformation Governance Board” within the Department of Homeland Security (DHS) and your role as the Board’s Executive Director.¹ You never responded to our letter, and the DHS’s response did not alleviate our concerns. Since then, new information has come to light about the Biden Administration’s embrace of government-driven censorship and its effort to “police disinformation.”² Accordingly, we write to reiterate our outstanding requests.

As we explained in our letter of May 5, the “Disinformation Governance Board” was an anti-democratic and un-American attempt to establish a *de facto* Ministry of Truth within the federal government. This effort shows the Biden Administration’s distrust of the American people and raises substantial concerns about the Administration’s commitment to protecting fundamental civil liberties. The documents we requested in our letter, which is enclosed, are necessary for our oversight. To the extent you possess responsive documents in your personal possession, please produce this material as soon as possible but no later than December 15, 2022. If you possess no responsive material in your personal possession, please make a certification to the Committee to that effect.

Additionally, in our letter of May 5, we requested that you appear before the Committee to answer questions about the Board, its work, and your previous statements promoting false public narratives. This request, too, is outstanding. We therefore ask that you appear for a transcribed interview about the “Disinformation Governance Board” and related matters. Please contact Committee staff promptly to schedule your transcribed interview.

¹ Letter from Jim Jordan, Ranking Member, H. Comm. on the Judic., et al. to Nina Jankowicz, Dep’t of Homeland Sec. (May 5, 2022).

² See Ken Klippenstein & Lee Fang, *Truth Cops: Leaked Documents Outline DHS’s Plans to Police Disinformation*, The Intercept (Oct. 31, 2022).

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The Committee on the Judiciary is authorized to conduct oversight of matters involving civil liberties, including free speech and the First Amendment.³ You can be assured that the Committee will continue to pursue this matter into the 118th Congress, including by compulsory process if necessary. If you are represented by private counsel, please ask your attorney to contact Committee staff at (202) 225-6906 on your behalf.

Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member

cc: The Honorable Jerrold L. Nadler, Chairman

Enclosure

³ Rules of the House of Representatives, R. X (2021).

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May 5, 2022

Ms. Nina Jankowicz
U.S. Department of Homeland Security
301 7th Street S.W.
Washington, DC 20528

Dear Ms. Jankowicz:

On April 27, 2022, Homeland Security Secretary Alejandro Mayorkas testified that the Biden Administration had established a so-called “Disinformation Governance Board” to combat alleged disinformation and misinformation.¹ According to news reports, which you acknowledged on Twitter, you will lead the board as its executive director.² This Board is un-American, anti-democratic, and a dangerous escalation of the Biden Administration’s embrace of government-endorsed censorship. In addition, judging from your past statements, Americans can not and should not trust you with your newfound authority to act as the Biden Administration’s arbiter of the truth.

The Biden Administration has shown that it has, at best, a tenuous relationship with the truth. For example, President Biden has repeatedly and falsely asserted that facts about Hunter Biden’s business dealings with corrupt Ukrainian and Communist Party-linked Chinese nationals are Russian disinformation.³ President Biden made these assertions despite an independent Senate investigation substantiating many of the allegations.⁴ The *New York Post* has similarly reported on these dealings for years, and the *New York Times* and the *Washington Post* have more recently confirmed much of the original reporting.⁵

¹ See, e.g., Bradford Betz, *Mayorkas testifies DHS is creating ‘Disinformation Governance Board’*, FOX NEWS (Apr. 27, 2022).

² Eugene Daniels et al., *POLITICO Playbook: Fauci pulls out of WHCD. Is Biden next?*, POLITICO (Apr. 27, 2022); Nina Jankowicz (@wiczipedia), TWITTER (Apr. 27, 2022, 7:17 AM), <https://twitter.com/wiczipedia/status/1519274470049042432>.

³ See Tyler Olson, *President Biden said Hunter laptop was Russian disinformation, but sone now says it ‘could’ be his*, FOX NEWS (Apr. 2, 2021).

⁴ STAFF OF THE S. COMM. ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS AND THE S. COMM. ON FINANCE, 116TH. CONG., HUNTER BIDEN, BURISMA, AND CORRUPTION: THE IMPACT OF U.S. GOVERNMENT POLICY AND RELATED CONCERNS (Sept. 2020); STAFF OF THE S. COMM. ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS AND THE S. COMM. ON FINANCE, 116TH. CONG., MAJORITY STAFF SUPPLEMENTAL (Nov. 2020).

⁵ See, e.g., Emma-Jo Morris & Gabrielle Fonroque, *Smoking-gun emails reveals how Hunter Biden introduced Ukrainian businessman to VP dad*, N.Y. POST (Oct. 14, 2020); Katie Brenner et al., *Hunter Biden paid tax bill, but broad federal investigation continues*, N.Y. TIMES (Mar. 16, 2022); Matt Viser et al., *Inside Hunter Biden’s multimillion-dollar deals with a Chinese energy company*, WASH. POST (Mar. 30, 2022).

You have similarly propagated this and other misinformation.⁶ On October 14, 2020, you were quoted in an *Associated Press* article about Hunter Biden's laptop as saying it "should [be] view[ed] as a Trump campaign product."⁷ On October 22, 2020, you argued that the laptop story was "a [fairy] tale about a laptop repair shop."⁸ On March 16, 2021, you asserted that an intelligence community assessment about Russian and other foreign activities related to the 2020 election was a "clear nod to the alleged Hunter laptop."⁹ On April 2, 2021, despite your statements to the contrary, Hunter Biden conceded that the laptop may have been his, and the *New York Times* subsequently reported that he had abandoned the laptop at the Delaware repair shop.¹⁰

You have also pushed left-wing disinformation about the so-called "Steele Dossier," the false and tawdry set of allegations about President Trump generated and pushed by Democrat operatives during the 2016 election cycle. On April 22, 2020, you promoted the false narrative that the Steele Dossier "began as a Republican opposition research project."¹¹ In fact, it was "Hillary Clinton's campaign and the Democratic National Committee" that paid "Fusion GPS [beginning] in April [2016] for research that eventually became the basis for the dossier."¹² You later promoted an interview with Steele that you described as providing "some great historical context about the evolution of disinfo."¹³ You also promoted other theories, for instance about disclosures made by then-Director of National Intelligence John Ratcliffe, that turned out to be false.¹⁴

The establishment of the Biden Administration's Board and your appointment to lead it gives rise to considerable concerns about its effect on Americans' fundamental civil liberties. The ability of Americans to engage in robust debate and conversation is the foundation of American politics, and there is no place for a *de facto* ministry of truth in our government. The very idea of a ministry of truth should be revolting to all Americans who hold our Bill of Rights in high regard.

To assist the Committee in investigating this matter, please provide the following documents:

⁶ See, e.g., Jerry Dunleavy, *Biden 'disinformation' chief a Trump Dossier fan and Hunter Biden laptop doubter*, WASH. EXAMINER (Apr. 28, 2022).

⁷ Eric Tucker & Stephen Braun, *AP Explains: Trump seizes on dubious Biden-Ukraine story*, ASSOC. PRESS (Oct. 14, 2020).

⁸ Nina Jankowicz (@wiczipedia), TWITTER (Oct. 22, 2020, 8:39 AM), <https://twitter.com/wiczipedia/status/1319257015651368960>.

⁹ Nina Jankowicz (@wiczipedia), TWITTER (Mar. 16, 2021, 2:22 PM), <https://twitter.com/wiczipedia/status/1371889543582990336>.

¹⁰ Olsen, *supra* note 4; Brenner et al., *supra* note 6.

¹¹ See Nina Jankowicz (@wiczipedia), TWITTER (Apr. 22, 2022, 7:55 AM), <https://twitter.com/wiczipedia/status/1252928977586524161>.

¹² Kenneth P. Vogel & Maggie Haberman, *Conservative Website First Funded Anti-Trump Research by Firm That Later Produced Dossier*, N.Y. TIMES (Oct. 27, 2017).

¹³ Nina Jankowicz (@wiczipedia), TWITTER (Aug. 7, 2020, 7:06 AM), <https://twitter.com/wiczipedia/status/1291692143262814209>.

¹⁴ See Dunleavy, *supra* note 7.

1. All documents and communications referring or relating to the creation of the Board and your appointment as executive director;
2. All documents and communications referring or relating to the creation of the Board, including its mission and authorities, between or among the Department of Homeland Security and the Executive Office of the President; and
3. All documents and communications referring or relating to any coordination or other interaction between the Board and Twitter, Meta Platforms, or any other social media company.

Please provide this information as soon as possible, but not later than 5:00 p.m. on May 19, 2022. In addition, given the serious threat to free speech posed by the Administration's actions, we ask that you please make yourself available for a briefing with the Committee immediately so that we may address questions including but not limited to the following:


1. Do you stand by your earlier characterizations of Hunter Biden's laptop as "a Trump campaign product" and Russian misinformation?
2. In light of your previous comments in which you falsely characterized information with which you disagreed as "disinfo," how do you define misinformation and disinformation?
3. What information and data do you intend to collect and from what sources?
4. What safeguards, if any, will you implement to ensure you respect the First Amendment rights of all Americans, not just those with whom you agree?
5. What specific actions will you take to counter what it views to be misinformation or disinformation, and what approval will be necessary before you take that action?


Please schedule this briefing as soon as possible. Thank you for your prompt attention to this important matter.


Jim Jordan
Ranking Member

Sincerely,


Louie Gohmert
Member of Congress


Darrell Issa
Ranking Member
Subcommittee on Intellectual Property
and the Internet


Ken Buck
Ranking Member
Subcommittee on Antitrust, Commercial
and Administrative Law


Ms. Nina Jankowicz

May 5, 2022

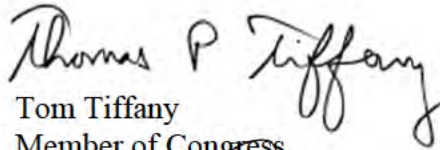
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Matt Gaetz
Member of Congress



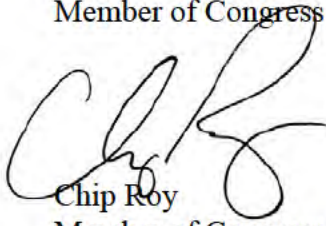
Tom McClintock
Ranking Member
Subcommittee on Immigration and
Citizenship




Tom Tiffany
Member of Congress



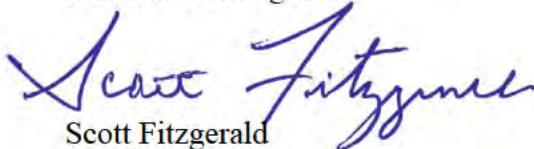
Thomas Massie
Member of Congress




Chip Roy
Member of Congress



Michelle Fischbach
Member of Congress



Scott Fitzgerald
Member of Congress



Cliff Bentz
Member of Congress

cc: The Honorable Jerrold Nadler, Chairman