

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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March 6, 2023

Ms. Nina Jankowicz
c/o Lawrence & Bundy LLC
1101 17th Street, N.W.
Washington, DC 20036

Dear Ms. Jankowicz:

The Committee on the Judiciary is conducting oversight of the so-called “Disinformation Governance Board” within the Department of Homeland Security (DHS), its creation, its activities, and related matters. We have repeatedly sought information from you concerning your official actions and duties as a DHS employee and former Executive Director of the Board, including how the Board intended to define disinformation, how it planned to collect information and from what sources, how it anticipated countering disinformation, and how it proposed to protect First Amendment rights.

We first wrote to you on May 5, 2022, requesting your voluntary cooperation with our oversight of the Board, its operations, and your work as Executive Director.¹ In a subsequent letter dated December 1, 2022, we again requested that you provide documents and appear for a voluntary transcribed interview with the Committee.² We reiterated our request for a voluntary transcribed interview in the 118th Congress in letters dated January 27, 2023, February 16, 2023, and March 1, 2023.³ To date, however, you have declined to comply voluntarily with our request for a transcribed interview.

The Supreme Court has recognized that Congress has a “broad and indispensable” power to conduct oversight, which “encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic or political system for the purpose

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

² Letter from Rep. Jim Jordan, H. Comm. on the Judiciary, to Ms. Nina Jankowicz, Dep’t of Homeland Sec. (December 1, 2022).

³ Letter from Rep. Jim Jordan, H. Comm. on the Judiciary, to Ms. Nina Jankowicz (Jan. 27, 2023); Letter from Rep. Jim Jordan, H. Comm. on the Judiciary, to Ms. Nina Jankowicz (Feb. 16, 2023); Letter from Rep. Jim Jordan, H. Comm. on the Judiciary, to Ms. Nina Jankowicz (March 1, 2023).

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of enabling Congress to remedy them.”⁴ Rule X of the Rules of the House of Representatives authorizes the Committee on the Judiciary to conduct oversight of matters involving civil liberties to inform potential legislation.⁵ Our oversight of the so-called “Disinformation Governance Board” and its effect on Americans’ civil liberties fall squarely within the Committee’s jurisdiction and are “subject[s] on which legislation could be had.”⁶ These potential legislative reforms include the prohibition of such a federal “disinformation” entity, restrictions on the executive branch’s authority to collect speech-related information about American citizens, or enhanced protections surrounding civil liberties. As the former Executive Director of the Board, you are uniquely situated to provide information that is relevant and necessary to inform the Committee’s oversight and potential legislative reforms.

Accordingly, and in light of your disregard of our earlier voluntary requests, please find attached a subpoena compelling you to appear for a deposition.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is stylized with a large "J" and a cursive "Jordan".

Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

⁴ See, e.g., *Trump v. Mazars LLP*, No. 19-715 at 11 (U.S. slip op. July 9, 2020) (internal quotation marks and citations omitted).

⁵ Rules of the U.S. House of Representatives, R. X(1)(5) (2023).

⁶ See, e.g., *Mazars*, No. 19-715 at 12 (internal quotation marks and citations omitted).