

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051  
MINORITY (202) 225-5074  
<https://oversight.house.gov>

November 2, 2022

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Dear Secretary Mayorkas:

We write to continue our investigation into the Department of Homeland Security's (DHS) efforts to stifle lawful First Amendment-protected speech of American citizens in public online settings. As we have written to you before, the Biden Administration continues to suppress free speech and discredit legitimate criticism as mis-, dis-, or mal- information.<sup>1</sup> Committee Republicans have now become aware of an extensive censorship campaign originating within DHS's Cybersecurity and Infrastructure Security Agency (CISA). This effort leverages partnerships with third parties to silence narratives that contradict the Administration's preferred perspectives on issues important to the national discourse. To understand the scope of DHS's taxpayer-funded censorship campaign, we request documents and information.

While the Administration publicly paused the creation of its "Disinformation Governance Board,"<sup>2</sup> DHS continues to suppress dissenting viewpoints. CISA is framing any dissenting opinion disseminated online as a cyber threat to critical infrastructure. CISA leverages partnerships with left-leaning private organizations—who have received millions of dollars in federal money<sup>3</sup>—to identify and then take action against political speech unfavorable to the Administration, especially around its handling of COVID-19 policy.

This effort began after CISA partnered with left-leaning organizations and Big Tech companies to launch the Election Integrity Partnership (EIP).<sup>4</sup> The EIP provides an online complaint-processing platform that permits groups—including the Democratic National

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<sup>1</sup> Letter from James Comer, Ranking Member, Comm. On Oversight & Reform to Alejandro Mayorkas, Secretary, U.S. Dept. of Homeland Security (Apr. 29, 2022), available at <https://republicans-oversight.house.gov/wp-content/uploads/2022/04/Letter-to-DHS-re-Disinformation-Governance-Board-04292022.pdf>.

<sup>2</sup> Letter from Alice Lugo, Assistant Secretary for Legislative Affairs, U.S. Dept. of Homeland Security to James Comer, Ranking Member, Comm. On Oversight & Reform (Jun. 30, 2022), on file with committee staff.

<sup>3</sup> Piper, Greg & John Solomon, *Outsourced censorship; Feds used private entity to target millions of social posts in 2020*, JUST THE NEWS (Sept. 30, 2022).

<sup>4</sup> Center for an Informed Public, Digital Forensic Research Lab, Graphika, & Stanford Internet Observatory, *The Long Fuse: Misinformation and the 2020 Election*, 2021, p. 5, Stanford Digital Repository: Election Integrity Partnership. v1.3.0 (Jun. 15, 2021), available at <https://stacks.stanford.edu/file/druid:tr171zs0069/EIP-Final-Report.pdf>.

Committee (DNC) on at least four occasions<sup>5</sup>—to submit “tickets” reporting narratives they flagged for concerns.<sup>6</sup> Other EIP partners include the Harvard Belfer Center’s Defending Digital Democracy Project,<sup>7</sup> cofounded by former Hillary Clinton campaign manager Robby Mook.<sup>8</sup> Mook was implicated in spreading false information about ties between then-Republican presidential candidate Donald Trump and Russia.<sup>9</sup>

“Tickets” uploaded into the computer system by users are viewable by federal employees and are resolved by actions taken by the tech company on whose platform the offending post appears.<sup>10</sup> “Tickets” were frequently resolved by taking one of several actions: 1) banning the user from posting his or her lawful speech or deplatforming the individual entirely, 2) algorithmically restricting the reach of the speech on the platform, or 3) adding other information, such as a warning label, to the post alerting users to the post’s disfavored status.<sup>11</sup>

The federal government should not be censoring free speech. Further, your agency is poorly positioned to moderate speech on social media. In fact, you deliberately spread disinformation in a White House press conference last year surrounding false allegations that your Border Patrol Agents were whipping Haitian migrants at the border in Del Rio, Texas. At that press conference, you stated that “we — our entire nation — saw horrifying images” that “painfully conjured up the worst elements of our nation’s ongoing battle against systemic racism.”<sup>12</sup> E-mails now reveal that you were made aware—hours before these comments—that the photographer who captured the images you were referring to told news outlets that he and his colleagues “never saw agents whipping anyone.”<sup>13</sup> Armed with the truth, you still perpetuated a false narrative that agents were whipping migrants at the border.

To assist Committee Republicans in conducting important oversight of DHS’ activities to suppress free speech and to understand the scope of this censorship campaign, please provide the following documents and information no later than November 16, 2022:

1. All documents and communications referring or relating to the inception and operation of the Election Integrity Partnership or any other online content monitoring program hosted by or in partnership with the Department of Homeland Security;

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<sup>5</sup> Press Release, Election Integrity Partnership, *A Statement from the Election Integrity Partnership* (Oct. 5, 2022), available at <https://www.eipartnership.net/blog/a-statement-from-the-election-integrity-partnership>.

<sup>6</sup> *Supra*, n.3; see also Ken Klippenstein & Lee Fang, *TRUTH COPS: Leaked Documents Outline DHS’s Plans to Police Disinformation*, THE INTERCEPT (Oct. 31, 2022).

<sup>7</sup> *Supra*, n.4, p. 14.

<sup>8</sup> Robby Mook, Harvard Kennedy School Belfer Center (Accessed Oct. 13, 2022), <https://www.belfercenter.org/person/robbymook>.

<sup>9</sup> Paulina Smolinski, *Former Clinton campaign manager Robby Mook says Clinton agreed to give Trump-Russia material to reporter*, CBS NEWS (May 20, 2022).

<sup>10</sup> *Supra*, n.4.

<sup>11</sup> *Id.*, p. 40.

<sup>12</sup> Press Release, White House, Press Briefing by Press Secretary Jen Psaki and Secretary of Homeland Security Alejandro Mayorkas (Sept. 24, 2021), <https://www.whitehouse.gov/briefing-room/press-briefings/2021/09/24/press-briefing-by-press-secretary-jen-psaki-and-secretary-of-homeland-security-alejandro-mayorkas-september-24-2021/>.

<sup>13</sup> Melugin, Bill, *Mayorkas alerted that no Haitian migrants were ‘whipped’ hours before WH press conference*, FOX NEWS (Oct. 12, 2022).

2. All documents and communications containing any list of entities or persons outside of the Department of Homeland Security involved with the Election Integrity Partnership or any other content monitoring program hosted by or in partnership with the Department of Homeland Security;
3. All documents and communications pertaining to “tickets” uploaded to or generated by any computer system related to content posted online involving the Election Integrity Partnership or any other online content monitoring program, including the resolution or status of any tickets;
4. All documents and communications between any federal employee, contractor, or grantee and any other individual, whether within or outside the federal government, referring or relating to the creation of or resolution of any “tickets” identified in response to request number 3; and
5. All documents and communications sufficient to show the identities of federal employees, contractors, or grantees whose duties included, at any point, monitoring online content, taking action against certain content, or encouraging a third party to take action against certain content, including but not limited to any resumes or qualifications of the individual.

To make arrangements to deliver documents or ask any related follow-up questions, please contact Committee on Oversight and Reform Republican Staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



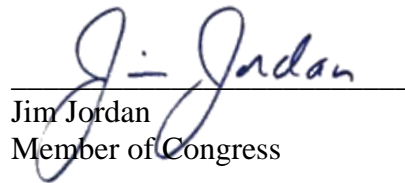
James Comer  
Ranking Member  
Committee on Oversight and Reform



Glenn Grothman  
Ranking Member  
Subcommittee on National Security



Michael Cloud  
Ranking Member  
Subcommittee on Economic and  
Consumer Policy

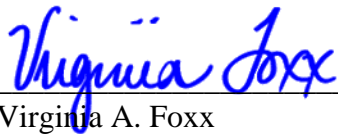


Jim Jordan  
Member of Congress

The Honorable Alejandro Mayorkas

November 2, 2022

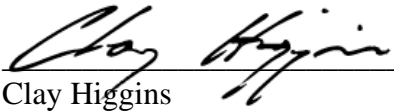
Page 4 of 4



Virginia A. Foxx  
Member of Congress



Bob Gibbs  
Member of Congress



Clay Higgins  
Member of Congress



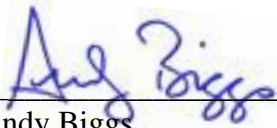
Ralph Norman  
Member of Congress



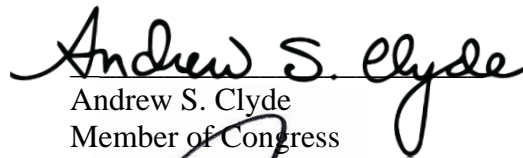
Pete Sessions  
Member of Congress



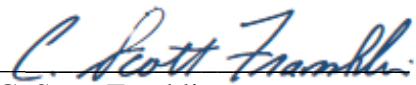
Fred Keller  
Member of Congress



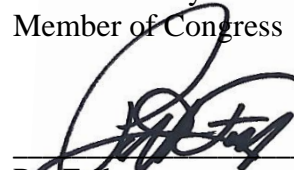
Andy Biggs  
Member of Congress



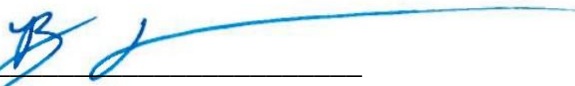
Andrew S. Clyde  
Member of Congress



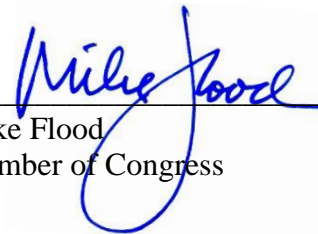
C. Scott Franklin  
Member of Congress



Pat Fallon  
Member of Congress



Byron Donalds  
Member of Congress



Mike Flood  
Member of Congress

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

The Honorable Stephen F. Lynch, Chairman  
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman  
Subcommittee on Economic and Consumer Policy