

From:	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6)
To:	Kozey, Elizabeth (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	FW: Updated disinfo board fact sheet
Date:	2022/04/29 07:34:00
Priority:	Normal
Type:	Note

Will add you in line the next time I reply

Nina Jankowicz

Executive Director
 Disinformation Governance Board
 Office of Strategy, Policy, and Plans
 U.S. Department of Homeland Security
 C: (b)(6) | O: (b)(6)
 (b)(6)
 (b)(6)
 (b)(6)

From: JANKOWICZ, NINA
Sent: Thursday, April 28, 2022 10:34 PM
To: SILVERS, ROBERT (b)(6) ULLOA, ISABELLA (b)(6)
 DASKAL, JENNIFER (b)(6) VINOGRAD, SAMANTHA
 (b)(6) SEIDMAN, RICKI (b)(6) CANEGALLO,
 KRISTIE (b)(6) ESPINOSA, MARSHA (b)(6)
Cc: PECK, SARAH (b)(6) Clemens, Ruth (b)(6) WATERS,
 ERIN (b)(6) SHAH, SARASWATI (b)(6)
Subject: RE: Updated disinfo board fact sheet

Thanks everyone- appreciate the effort that went into turning this around. What we have looks good to me.

Sam asked earlier on the phone if I'm ok being mentioned in the fact sheet etc- this is definitely fine with me and I don't think it will have an impact on the volume of stuff I'm getting at this point.

Will check in early tomorrow. Thanks again.

Nina Jankowicz

Executive Director
 Disinformation Governance Board
 Office of Strategy, Policy, and Plans
 U.S. Department of Homeland Security
 C: (b)(6) | O: (b)(6)

(b)(6)
(b)(6)
(b)(6)

From: SILVERS, ROBERT (b)(6)
Sent: Thursday, April 28, 2022 9:19 PM
To: ULLOA, ISABELLA (b)(6) DASKAL, JENNIFER (b)(6)
JANKOWICZ, NINA (b)(6) VINOGRAD, SAMANTHA
(b)(6) SEIDMAN, RICKI (b)(6) CANEGALLO,
KRISTIE (b)(6) ESPINOSA, MARSHA (b)(6)
Cc: PECK, SARAH (b)(6) Clemens, Ruth (b)(6) WATERS,
ERIN (b)(6) SHAH, SARASWATI (b)(6)
Subject: Re: Updated disinfo board fact sheet


I think this is really good. I am on phone so not able to edit in document, but my main issue is that we're

(b)(5)

Thanks so much. I am on cell another 40 minutes to discuss if helpful before heading into a dinner.

Rob

From: ULLOA, ISABELLA (b)(6)
Sent: Thursday, April 28, 2022 5:17:38 PM
To: SILVERS, ROBERT (b)(6) DASKAL, JENNIFER (b)(6)
JANKOWICZ, NINA (b)(6) VINOGRAD, SAMANTHA
(b)(6) SEIDMAN, RICKI (b)(6) CANEGALLO,
KRISTIE (b)(6) ESPINOSA, MARSHA (b)(6)
Cc: PECK, SARAH (b)(6) Clemens, Ruth (b)(6) WATERS,
ERIN (b)(6) SHAH, SARASWATI (b)(6)
Subject: Updated disinfo board fact sheet

All – we've taken a stab at rewriting  the DGB fact sheet to be more clear, concrete, and concise. With apologies for the evening request, please review and make any edits in tracked changes/via comments by 10 pm ET.

Thank you very much and available to chat if helpful.

Isa

Sender:	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	Kozey, Elizabeth (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/04/29 07:34:09
Delivered Date:	2022/04/29 07:34:00

From:	JANKOWICZ, NINA (b)(6)
To:	SHAH, SARASWATI (b)(6)
CC:	ULLOA, ISABELLA (b)(6)
Subject:	RE: Testimony language--MDM
Date:	2022/04/25 08:50:00
Priority:	Normal
Type:	Note

Thanks for sharing this Sara.

As long as the DGB announcement goes forward as planned tomorrow, you could consider including the following:

(b)(5)

(b)(5) Let me know if you have questions!

Nina

Nina Jankowicz
Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security

C: (b)(6) | O: (b)(6)

(b)(6)

From: SHAH, SARASWATI (b)(6)
Sent: Saturday, April 23, 2022 4:01 PM
To: JANKOWICZ, NINA (b)(6)
Cc: ULLOA, ISABELLA (b)(6)
Subject: Testimony language--MDM

Hi Nina,

Thank you for editing the MDM paragraph for S1's Oversight testimony earlier this week! Reaching out with another quick-turn question about testimony language.

(b)(5)

Best,
Sara

Sara Shah
Special Assistant to the Secretary
U.S. Department of Homeland Security
M: (b)(6)



DHS Signature

Sender:	JANKOWICZ, NINA (b)(6)	(b)(6)
Recipient:	SHAH, SARASWATI (b)(6)	(b)(6)
	ULLOA, ISABELLA (b)(6)	(b)(6)

(b)(6)

Sent Date: 2022/04/25 08:50:05

Delivered Date: 2022/04/25 08:50:00

From:	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	Kozey, Elizabeth (b)(6) (b)(6) (b)(6) (b)(6) Eliz (b)(6)
Subject:	Fwd: FO QUICK TURN REVIEW: S1 testimony content on MDM
Date:	2022/04/19 12:28:51
Priority:	Normal
Type:	Note

From: SHAH, SARASWATI (b)(6)
Sent: Tuesday, April 19, 2022 12:24:29 PM
To: ULLOA, ISABELLA (b)(6) VINOGRAD, SAMANTHA
(b)(6) JANKOWICZ, NINA (b)(6)
Subject: RE: FO QUICK TURN REVIEW: S1 testimony content on MDM

Many thanks, all!

From: ULLOA, ISABELLA (b)(6)
Sent: Tuesday, April 19, 2022 12:21 PM
To: VINOGRAD, SAMANTHA (b)(6) JANKOWICZ, NINA
(b)(6) SHAH, SARASWATI (b)(6)
Subject: RE: FO QUICK TURN REVIEW: S1 testimony content on MDM

Thanks, everyone. Let's go w/ the below. Agree re (1). We can reassess whether to include in his oral remarks.

(b)(5)

From: VINOGRAD, SAMANTHA (b)(6)
Sent: Tuesday, April 19, 2022 11:59 AM
To: JANKOWICZ, NINA (b)(6) SHAH, SARASWATI
(b)(6) ULLOA, ISABELLA (b)(6)
Subject: RE: FO QUICK TURN REVIEW: S1 testimony content on MDM

I have a 12pm unfortunately so a few things in haste:

(b)(5)

(b)(5)

From: JANKOWICZ, NINA (b)(6)

Sent: Tuesday, April 19, 2022 11:57 AM

To: SHAH, SARASWATI (b)(6) VINOGRAD, SAMANTHA

(b)(6) ULLOA, ISABELLA (b)(6)

Subject: RE: FO QUICK TURN REVIEW: S1 testimony content on MDM

Got it. In that case I think it's critical (b)(5)

(b)(5)

Defer to Sam for her final approval but see below for edits.

(b)(5)

Nina Jankowicz
Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security

C: (b)(6) | O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: SHAH, SARASWATI (b)(6)

Sent: Tuesday, April 19, 2022 11:52 AM

To: JANKOWICZ, NINA (b)(6) VINOGRAD, SAMANTHA

(b)(6) ULLOA, ISABELLA (b)(6)

Subject: RE: FO QUICK TURN REVIEW: S1 testimony content on MDM

(b)(5)

From: JANKOWICZ, NINA (b)(6)

Sent: Tuesday, April 19, 2022 11:45 AM

To: VINOGRAD, SAMANTHA (b)(6) SHAH, SARASWATI

(b)(6)

Subject: RE: FO QUICK TURN REVIEW: S1 testimony content on MDM

Thanks Sara- is this for next week's testimony (post Board public announcement) or sooner? If for next week, we could look at including some info about the Board.

(b)(5)

Let me know about the timing/focus issue and I can further adjust.

Nina Jankowicz

Executive Director

Disinformation Governance Board

Office of Strategy, Policy, and Plans

U.S. Department of Homeland Security

C: (b)(6) O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: VINOGRAD, SAMANTHA (b)(6)

Sent: Tuesday, April 19, 2022 11:41 AM

To: SHAH, SARASWATI (b)(6) JANKOWICZ, NINA

(b)(6)

Subject: Re: FO QUICK TURN REVIEW: S1 testimony content on MDM

Why (b)(5)

From: SHAH, SARASWATI (b)(6)

Sent: Tuesday, April 19, 2022 11:36:55 AM

To: VINOGRAD, SAMANTHA (b)(6) JANKOWICZ, NINA

(b)(6)

Subject: FO QUICK TURN REVIEW: S1 testimony content on MDM

Hi both—

Sorry for the quick turn. Can you please review for public consumption/inaccuracies in the below

(b)(5)

Warmly,
Sara

Sara Shah
Special Assistant to the Secretary
U.S. Department of Homeland Security
M: (b)(6)



DHS Signature

Sender: JANKOWICZ, NINA (b)(6) (b)(6) (b)(6)
(b)(6)

Recipient:	Kozey, Elizabeth (b)(6) (b)(6) (b)(6) (b)(6) Eliz (b)(6)
Sent Date:	2022/04/19 12:28:51

UNCLASSIFIED/FOUO

Disinformation Governance Board Rollout Plan

(b)(5)



UNCLASSIFIED/FOUO

DHS-001-02015-000670

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Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

**Disinformation Governance Board
Suggested Agenda: April 2022 Board Meeting**

(b)(5)

FOUO / UNCLASSIFIED

**Disinformation Governance Board
DHS MDM Capabilities Review**

(b)(5)



FOUO / UNCLASSIFIED
DHS-001-02015-000673

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U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

September 21, 2022

ACTION

MEMORANDUM FOR THE SECRETARY

FROM: Robert Silvers
Under Secretary
Office of Strategy, Policy, and Plans

Jonathan Meyer
General Counsel

SUBJECT: **DHS Disinformation Governance Board Charter**

(b)(5)

Page 021

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(b)(5)

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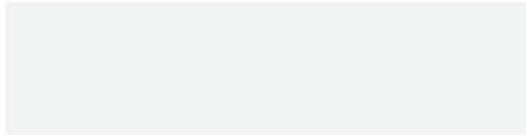
Page 022

Withheld pursuant to exemption

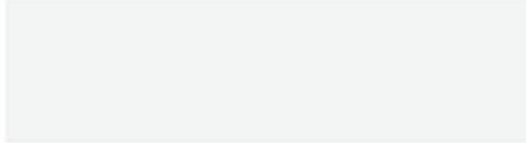
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(b)(5)



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Disinformation Governance Board:
Governing Principles

(b)(5)

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Mis- Dis- Mal- (MDM) Coordination

(b)(5)

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of the Freedom of Information and Privacy Act

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Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

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) 225-3961
judiciary.house.gov

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 some 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.

Ms. Nina Jankowicz

May 5, 2022

Page 3

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:

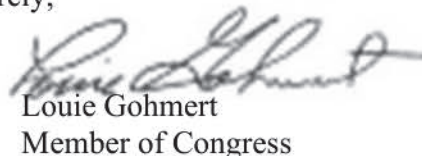
1. Do you stand by your earlier characterizations of Hunter Biden's laptop as "a Trump campaign product" and Russian misinformation?
2. In light of your previous comments in which you falsely characterized information with which you disagreed as "disinfo," how do you define misinformation and disinformation?
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.


Sincerely,




Jim Jordan
Ranking Member



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

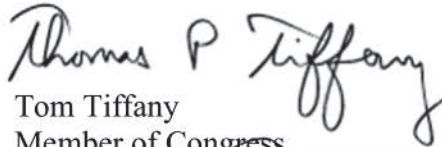
Page 4




Matt Gaetz
Member of Congress



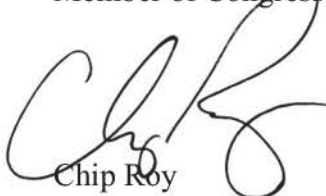
Tom McClintock
Ranking Member
Subcommittee on Immigration and
Citizenship



Tom Tiffany
Member of Congress



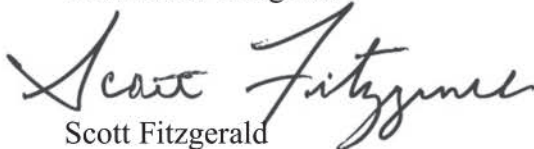
Thomas Massie
Member of Congress



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

From:	ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6)
To:	SILVERS, ROBERT (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	FW: [For Review] DGB Senate Letters
Date:	2022/05/03 18:06:18
Priority:	Normal
Type:	Note

Would appreciate your eyes on this

From: ULLOA, ISABELLA
Sent: Tuesday, May 3, 2022 6:06 PM
To: PECK, SARAH (b)(6) SHENKLE, ABBY (b)(6) LUGO, ALICE (b)(6)
DASKAL, JENNIFER (b)(6) Lamote, Jason (b)(6)
ESPINOSA, MARSHA (b)(6)
Cc: HIMMEL, CHLOE (b)(6) Mehringer, Holly (b)(6)
SEIDMAN, RICKI (b)(6) SILVERS, ROBERT (b)(6)
CANEGALLO, KRISTIE (b)(6) WATERS, ERIN (b)(6)
JANKOWICZ, NINA (b)(6) VINOGRAD, SAMANTHA (b)(6)
Subject: RE: [For Review] DGB Senate Letters

+ Nina and Sam

Pls don't share further.

Folks should please aim to wrap up their edits by 7 pm ET at the latest. Thanks.

From: PECK, SARAH (b)(6)
Sent: Tuesday, May 3, 2022 5:31 PM
To: ULLOA, ISABELLA (b)(6) SHENKLE, ABBY (b)(6) LUGO, ALICE (b)(6)
DASKAL, JENNIFER (b)(6) Lamote, Jason (b)(6)
ESPINOSA, MARSHA (b)(6)
Cc: HIMMEL, CHLOE (b)(6) Mehringer, Holly (b)(6)
SEIDMAN, RICKI (b)(6) SILVERS, ROBERT (b)(6)
CANEGALLO, KRISTIE (b)(6) WATERS, ERIN (b)(6)
Subject: Re: [For Review] DGB Senate Letters

OPA continues to update the RTQ on this issue in the shared doc:

 04262022 - ROLLOUT - Disinformation Board.docx

I added in OLA's questions and some of the answers but it would be great if Jen or Isa could help with responses to a few of the new ones. And as a reminder we shouldn't share the link outside of this group.

From: ULLOA, ISABELLA (b)(6)
Sent: Tuesday, May 3, 2022 3:34:01 PM
To: SHENKLE, ABBY (b)(6) LUGO, ALICE (b)(6) DASKAL, JENNIFER (b)(6) Lamote, Jason (b)(6) ESPINOSA, MARSHA (b)(6) PECK, SARAH (b)(6)
Cc: HIMMEL, CHLOE (b)(6) Mehringer, Holly (b)(6) SEIDMAN, RICKI (b)(6) SILVERS, ROBERT (b)(6) CANEGALLO, KRISTIE (b)(6)
Subject: Re: [For Review] DGB Senate Letters

Thank you. I understand a hard Q&A is being finalized?

I

From: SHENKLE, ABBY (b)(6)
Sent: Tuesday, May 3, 2022 3:31:37 PM
To: LUGO, ALICE (b)(6) DASKAL, JENNIFER (b)(6) Lamote, Jason (b)(6) ESPINOSA, MARSHA (b)(6) PECK, SARAH (b)(6)
Cc: ULLOA, ISABELLA (b)(6) HIMMEL, CHLOE (b)(6) Mehringer, Holly (b)(6)
Subject: Re: [For Review] DGB Senate Letters

+Holly. Isa the DGB questions from HSGAC are at bottom of this email.

From: LUGO, ALICE (b)(6)
Sent: Tuesday, May 3, 2022 12:53 PM
To: DASKAL, JENNIFER (b)(6) Lamote, Jason (b)(6) SHENKLE, ABBY (b)(6) ESPINOSA, MARSHA (b)(6) PECK, SARAH (b)(6)
Cc: ULLOA, ISABELLA (b)(6) HIMMEL, CHLOE (b)(6)
Subject: RE: [For Review] Senate Letters

+ chloe

Alice Lugo
Assistant Secretary for Legislative Affairs
U.S. Department of Homeland Security

From: LUGO, ALICE

Sent: Tuesday, May 3, 2022 12:53 PM

To: DASKAL, JENNIFER (b)(6) Lamote, Jason (b)(6)

SHENKLE, ABBY (b)(6) ESPINOSA, MARSHA (b)(6)

PECK, SARAH (b)(6)

Cc: ULLOA, ISABELLA (b)(6)

Subject: RE: [For Review] Senate Letters

These are the letters the questions were pulled from.

Alice Lugo

Assistant Secretary for Legislative Affairs

U.S. Department of Homeland Security

From: DASKAL, JENNIFER (b)(6)

Sent: Tuesday, May 3, 2022 12:51 PM

To: Lamote, Jason (b)(6) LUGO, ALICE (b)(6) SHENKLE, ABBY

(b)(6) ESPINOSA, MARSHA (b)(6) PECK, SARAH

(b)(6)

Cc: ULLOA, ISABELLA (b)(6)

Subject: RE: [For Review] Senate Letters

Privileged

Jason, Alice –

(b)(5)

Jen

From: Lamote, Jason (b)(6)

Sent: Tuesday, May 3, 2022 12:44 PM

To: DASKAL, JENNIFER (b)(6) LUGO, ALICE (b)(6) SHENKLE,

ABBY (b)(6)

Subject: Fwd: [For Review] Senate Letters

Jen, here's the letter

From: Kozey, Elizabeth (b)(6)

Sent: Tuesday, May 3, 2022 11:28:50 AM

To: Lamote, Jason (b)(6) VINOGRAD, SAMANTHA

(b)(6) DASKAL, JENNIFER (b)(6)

Cc: JANKOWICZ, NINA (b)(6) FAUSETT, ANDREW

(b)(6) (b)(6) (b)(6) (He/Him) (b)(6)

Subject: [For Review] Senate Letters

Hi Jason,

Please see our draft response attached. Once Sam/Jen have the opportunity to review and provide feedback, we should be all set.

Sam/Jen,

Please let us know if you have any questions.

Thank you!

Liz

Liz Kozey

Senior Advisor (*detailee*)

Office of Counterterrorism and Threat Prevention

Office of Strategy, Policy, and Plans

Department of Homeland Security

Office: (b)(6) | Cell: (b)(6)

Email: (b)(6) | (b)(6) | (b)(6)

From: Lamote, Jason (b)(6)

Sent: Monday, May 2, 2022 11:07 AM

To: JANKOWICZ, NINA (b)(6) Kozey, Elizabeth

(b)(6) FAUSETT, ANDREW (b)(6)

Subject: RE: Senate Letters

Please let me know if/when you have additional feedback on these responses.

Jason Lamote

Director - Cyber, Intelligence, Operations

Office of Legislative Affairs

Department of Homeland Security

Cell: (b)(6) | Email: (b)(6)

From: Lamote, Jason

Sent: Friday, April 29, 2022 2:38 PM

To: JANKOWICZ, NINA (b)(6) Kozey, Elizabeth

(b)(6) FAUSETT, ANDREW (b)(6)

Subject: Senate Letters

OLA would like us to coordinate responses to the questions raised in the Senate letters that can be used at S1 hearing preps on Monday and later next week. I've taken a first stab at most of the questions. Can you please review, edit, and add content as you recommend?

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Page 041

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(b)(5)

Jason Lamote
Director - Cyber, Intelligence, Operations
Office of Legislative Affairs
Department of Homeland Security
Cell: (b)(6) | Email: (b)(6)

Sender:	ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	SILVERS, ROBERT (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/03 18:06:16
Delivered Date:	2022/05/03 18:06:18

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Ukraine MDM Playbook

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Ukraine MDM Playbook
Version 6, as of 1/29/2022

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DHS FACT SHEET:

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**Disinformation Governance Board Rollout
Talking Points**

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UNCLASSIFIED//FOUO

**Disinformation Governance Board
March-May 2022 Workplan**

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UNCLASSIFIED//FOUO
DHS-001-02015-000737

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U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

September 21, 2022

ACTION

MEMORANDUM FOR THE SECRETARY

FROM: Robert Silvers
Under Secretary
Office of Strategy, Policy, and Plans

Jennifer Daskal
Acting Principal Deputy General Counsel

SUBJECT: **MDM Governance Board Charter**

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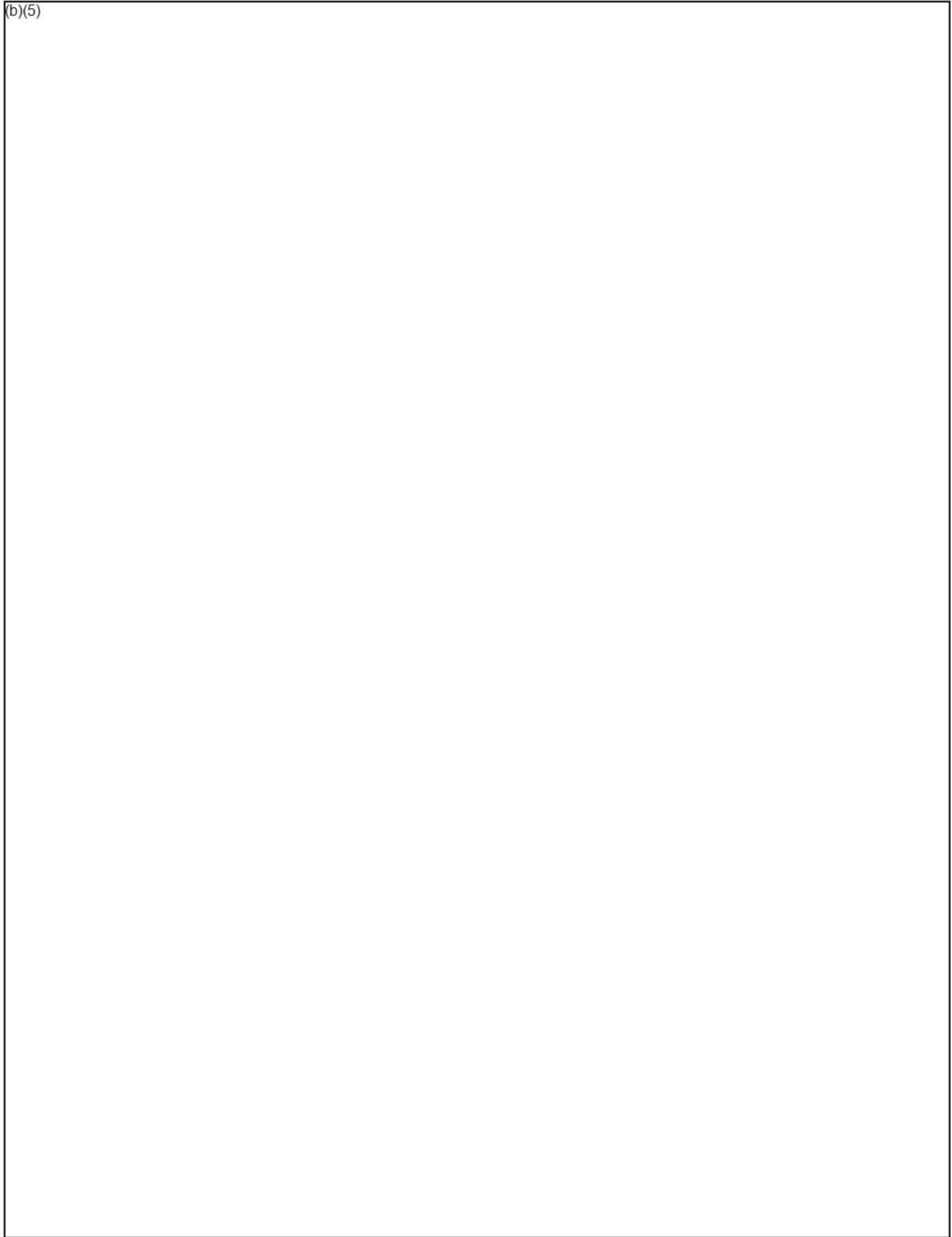
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Summary of Disinformation Governance Board Roles and Responsibilities

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Disinformation Governance Board Rollout Plan

(b)(5)



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**Disinformation Governance Board
Suggested Agenda: April 2022 Board Meeting**

(b)(5)

**Background Information:
DHS PLCY's Roles and Responsibilities in the Department's
Information Manipulation Mission**

November 20, 2021

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Homeland
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DHS Disinformation Governance Board Charter

(b)(5)

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From:	Mayorkas, Alejandro (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) CANEGALLO, KRISTIE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	SEIDMAN, RICKI (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) WU, MIKE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	RE: For Input: Disinformation Way Forward
Date:	2022/04/29 14:20:55
Priority:	Normal
Type:	Note

Proposed revised posting attached, thanks.

Alejandro N. Mayorkas
Secretary

From: PECK, SARAH (b)(6)
Sent: Friday, April 29, 2022 2:17 PM
To: Mayorkas, Alejandro (b)(6) ULLOA, ISABELLA (b)(6)
CANEGALLO, KRISTIE (b)(6)
Cc: SEIDMAN, RICKI (b)(6) WU, MIKE (b)(6) ESPINOSA,
MARSHA (b)(6)
Subject: RE: For Input: Disinformation Way Forward

Thank you, Secretary! We have sent this to the White House and hope to deploy it to reporters shortly.

From: Mayorkas, Alejandro (b)(6)
Sent: Friday, April 29, 2022 1:45 PM
To: PECK, SARAH (b)(6) ULLOA, ISABELLA (b)(6)
CANEGALLO, KRISTIE (b)(6)
Cc: SEIDMAN, RICKI (b)(6) WU, MIKE (b)(6) ESPINOSA,
MARSHA (b)(6)
Subject: RE: For Input: Disinformation Way Forward

Second try:

(b)(5)

Alejandro N. Mayorkas
Secretary

From: Mayorkas, Alejandro

Sent: Friday, April 29, 2022 1:41 PM

To: PECK, SARAH (b)(6) ULLOA, ISABELLA (b)(6)

CANEGALLO, KRISTIE (b)(6)

Cc: SEIDMAN, RICKI (b)(6) WU, MIKE (b)(6) ESPINOSA,
MARSHA (b)(6)

Subject: RE: For Input: Disinformation Way Forward

My proposed revised version, which I can explain if needed:

(b)(5)

Thanks. Ali

Alejandro N. Mayorkas
Secretary

From: PECK, SARAH (b)(6)

Sent: Friday, April 29, 2022 1:30 PM

To: Mayorkas, Alejandro (b)(6) ULLOA, ISABELLA (b)(6)

CANEGALLO, KRISTIE (b)(6)

Cc: SEIDMAN, RICKI (b)(6) WU, MIKE (b)(6) ESPINOSA,
MARSHA (b)(6)

Subject: RE: For Input: Disinformation Way Forward

Yes Sir. If we can get something by 2 pm, that would be great.

From: Mayorkas, Alejandro (b)(6)

Sent: Friday, April 29, 2022 1:28 PM

To: PECK, SARAH (b)(6) ULLOA, ISABELLA (b)(6)

CANEGALLO, KRISTIE (b)(6)
Cc: SEIDMAN, RICKI (b)(6) WU, MIKE (b)(6) ESPINOSA, MARSHA (b)(6)
Subject: Re: For Input: Disinformation Way Forward

Do I have fifteen minutes?

Alejandro N. Mayorkas
Secretary

From: PECK, SARAH (b)(6)
Sent: Friday, April 29, 2022 1:18:27 PM
To: ULLOA, ISABELLA (b)(6) Mayorkas, Alejandro (b)(6)
CANEGALLO, KRISTIE (b)(6)
Cc: SEIDMAN, RICKI (b)(6) WU, MIKE (b)(6) ESPINOSA, MARSHA (b)(6)
Subject: RE: For Input: Disinformation Way Forward

Secretary, While we adjust the fact sheet, we would like to provide reporters who are on deadline with a (b)(5) Here is a draft for your review:

(b)(5)

From: ULLOA, ISABELLA (b)(6)
Sent: Friday, April 29, 2022 12:08 PM
To: Mayorkas, Alejandro (b)(6) CANEGALLO, KRISTIE (b)(6)
Cc: SEIDMAN, RICKI (b)(6) WU, MIKE (b)(6) PECK, SARAH (b)(6) ESPINOSA, MARSHA (b)(6)
Subject: Re: For Input: Disinformation Way Forward

Sounds good, Secretary. We do not intend to issue a statement, rather the goal is to post the fact sheet on our website so we have something to point folks to. Perhaps we can adjust the title to make that more clear, maybe by adding the "fact sheet:" qualifier.

Isabella Ulloa
Deputy Chief of Staff
U.S. Department of Homeland Security
(b)(6)

From: Mayorkas, Alejandro (b)(6)
Sent: Friday, April 29, 2022 12:05:28 PM
To: CANEGALLO, KRISTIE (b)(6)

Cc: ULLOA, ISABELLA (b)(6) SEIDMAN, RICKI (b)(6) WU,
MIKE (b)(6) PECK, SARAH (b)(6) ESPINOSA, MARSHA
(b)(6)

Subject: Re: For Input: Disinformation Way Forward

Thank you. Just read this quickly. This has all the pieces. I would like the opportunity to work on it when I am back in the office. I would like to re-sequence. Can we just do a fact sheet rather than a release?

Thanks. Ali

Alejandro N. Mayorkas
Secretary

From: CANEGALLO, KRISTIE (b)(6)

Sent: Friday, April 29, 2022 11:59:42 AM

To: Mayorkas, Alejandro (b)(6)

Cc: ULLOA, ISABELLA (b)(6) SEIDMAN, RICKI (b)(6) WU,
MIKE (b)(6) PECK, SARAH (b)(6) ESPINOSA, MARSHA
(b)(6)

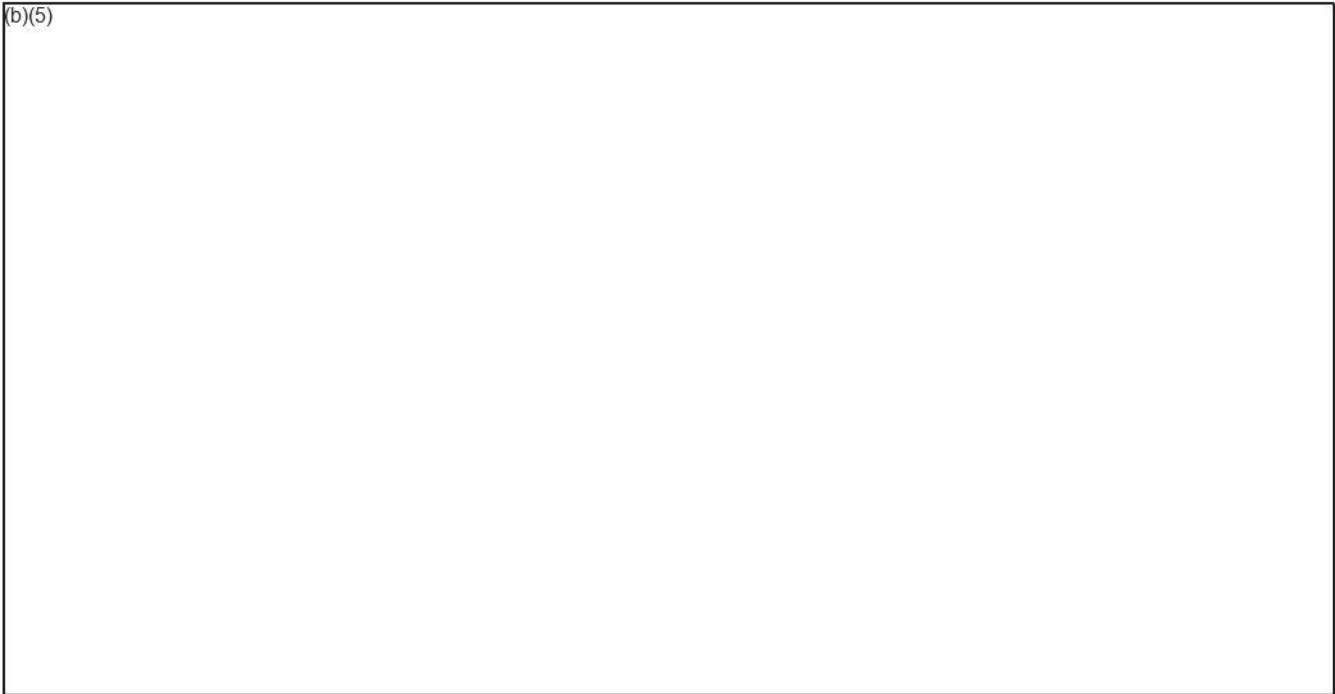
Subject: For Input: Disinformation Way Forward

Understand you are still waiting. We have been iterating on the fact sheet / public language. While we are still working on examples for you later, welcome your feedback on this :

**DHS Launches Disinformation Governance Board to
Protect Privacy, Civil Rights, Civil Liberties, and Freedom of Speech**

(b)(5)

(b)(5)



Sender:	Mayorkas, Alejandro (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) CANEGALLO, KRISTIE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) WU, MIKE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/04/29 14:20:38
Delivered Date:	2022/04/29 14:20:55

**The DHS Disinformation Governance Board:
Protecting Freedom of Speech, Privacy, Civil Rights, and Civil Liberties**

(b)(5)

From:	DASKAL, JENNIFER (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) CANEGALLO, KRISTIE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) FAUSETT, ANDREW (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) VINOGRAD, SAMANTHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) SILVERS, ROBERT (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) Lamote, Jason (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	Kozey, Elizabeth (b)(6) (b)(6) (b)(6) (b)(6) Eliz (b)(6) Martin, Cynthia (b)(6) (b)(6) (b)(6) (b)(6) Cyn (b)(6) ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) LUGO, ALICE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	Re: FYSA- Congressional engagement tomorrow
Date:	2022/04/29 14:58:13
Priority:	Normal
Type:	Note

Jason,

Is that possible? To push to 3:30?

From: ULLOA, ISABELLA (b)(6)

Sent: Friday, April 29, 2022 2:57 PM

To: PECK, SARAH (b)(6) JANKOWICZ, NINA

(b)(6) CANEGALLO, KRISTIE (b)(6)

FAUSETT, ANDREW (b)(6) DASKAL, JENNIFER
(b)(6) VINOGRAD, SAMANTHA (b)(6)
SILVERS, ROBERT (b)(6) Lamote, Jason (b)(6)
Cc: Kozey, Elizabeth (b)(6) Martin, Cynthia
(b)(6) ESPINOSA, MARSHA (b)(6) LUGO,
ALICE (b)(6) SEIDMAN, RICKI (b)(6)
Subject: Re: FYSA- Congressional engagement tomorrow

Any chance we can punt to 330?

From: PECK, SARAH (b)(6)
Sent: Friday, April 29, 2022 2:56:02 PM
To: ULLOA, ISABELLA (b)(6) JANKOWICZ, NINA (b)(6)
CANEGALLO, KRISTIE (b)(6) FAUSETT, ANDREW
(b)(6) DASKAL, JENNIFER (b)(6) VINOGRAD,
SAMANTHA (b)(6) SILVERS, ROBERT (b)(6) Lamote,
Jason (b)(6)
Cc: Kozey, Elizabeth (b)(6) Martin, Cynthia (b)(6)
ESPINOSA, MARSHA (b)(6) LUGO, ALICE (b)(6) SEIDMAN,
RICKI (b)(6)
Subject: RE: FYSA- Congressional engagement tomorrow

The latest version is here. Still waiting on WH sign off.

[04262022 - ROLLOUT - Disinformation Board.docx \(sharepoint.com\)](#)

From: ULLOA, ISABELLA (b)(6)
Sent: Friday, April 29, 2022 2:40 PM
To: JANKOWICZ, NINA (b)(6) CANEGALLO, KRISTIE
(b)(6) FAUSETT, ANDREW (b)(6) DASKAL,
JENNIFER (b)(6) VINOGRAD, SAMANTHA (b)(6)
SILVERS, ROBERT (b)(6) Lamote, Jason (b)(6)
Cc: Kozey, Elizabeth (b)(6) Martin, Cynthia (b)(6)
PECK, SARAH (b)(6) ESPINOSA, MARSHA (b)(6) LUGO,
ALICE (b)(6) SEIDMAN, RICKI (b)(6)
Subject: Re: FYSA- Congressional engagement tomorrow

Thanks, Nina. We haven't heard back from the WH and I know the first briefing is slated to start in 20 min. Will follow up in short order.

From: JANKOWICZ, NINA (b)(6)
Sent: Friday, April 29, 2022 2:25:30 PM
To: CANEGALLO, KRISTIE (b)(6) ULLOA, ISABELLA
(b)(6) FAUSETT, ANDREW (b)(6) DASKAL, JENNIFER
(b)(6) VINOGRAD, SAMANTHA (b)(6) SILVERS,
ROBERT (b)(6) Lamote, Jason (b)(6)
Cc: Kozey, Elizabeth (b)(6) Martin, Cynthia (b)(6)
PECK, SARAH (b)(6) ESPINOSA, MARSHA (b)(6) LUGO,

ALICE (b)(6) SEIDMAN, RICKI (b)(6)

Subject: RE: FYSA- Congressional engagement tomorrow

I understand Isa and Kristie want us to refrain from any projected or written mats so that is the plan unless we hear otherwise. We will speak directly from the cleared document.

([ppts icon Hill Briefing DGB 42922.pptx](#) if these end up being useful at some point down the road, here is a link that I hope functions)

Nina Jankowicz

Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security
C: (b)(6) | O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: JANKOWICZ, NINA

Sent: Friday, April 29, 2022 2:20 PM

To: CANEGALLO, KRISTIE (b)(6) ULLOA, ISABELLA

(b)(6) FAUSETT, ANDREW (b)(6) DASKAL, JENNIFER

(b)(6) VINOGRAD, SAMANTHA (b)(6) SILVERS,

ROBERT (b)(6) Lamote, Jason (b)(6)

Cc: Kozey, Elizabeth (b)(6) Martin, Cynthia (b)(6)

PECK, SARAH (b)(6) ESPINOSA, MARSHA (b)(6) LUGO,

ALICE (b)(6) SEIDMAN, RICKI (b)(6)

Subject: RE: FYSA- Congressional engagement tomorrow

Sorry, apparently there was a sharepoint snafu and only I was looking at the updated document... thanks to Jason and Andy for the heads up

([ppts icon Hill Briefing DGB.pptx](#)

Nina Jankowicz

Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security
C: (b)(6) | O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: CANEGALLO, KRISTIE (b)(6)

Sent: Friday, April 29, 2022 2:16 PM

To: JANKOWICZ, NINA (b)(6) ULLOA, ISABELLA (b)(6)
FAUSETT, ANDREW (b)(6) DASKAL, JENNIFER (b)(6)
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U.S. Department of Homeland Security

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From: ULLOA, ISABELLA (b)(6)

Sent: Friday, April 29, 2022 12:05 PM

To: FAUSETT, ANDREW (b)(6) DASKAL, JENNIFER

(b)(6) JANKOWICZ, NINA (b)(6) VINOGRAD,

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Martin, Cynthia (b)(6)
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Best,

Andy

Andrew Fausett
Assistant General Counsel for Information Sharing
U.S. Department of Homeland Security
Office Number: (b)(6) (DHS HQ)/(571 (b)(6) NVC)
Secure Number: (b)(6) DHS HQ (b)(6) (NVC)

Mobile Number: (b)(6)
(b)(6) (Unclassified)
(b)(6) (Secret)
(b)(6) Top Secret//SCI
(he/him/his)

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Morning-

+@Lamote, Jason from OLA

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Executive Director

Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security

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(b)(6)

(b)(6)

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From: DASKAL, JENNIFER (b)(6)

Sent: Friday, April 29, 2022 6:56 AM

To: VINOGRAD, SAMANTHA (b)(6) JANKOWICZ, NINA

(b)(6) SILVERS, ROBERT (b)(6)

Cc: Kozey, Elizabeth (b)(6) FAUSETT, ANDREW

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Cc: Kozey, Elizabeth (b)(6) FAUSETT, ANDREW

(b)(6) ULLOA, ISABELLA (b)(6)

Subject: Re: FYSA- Congressional engagement tomorrow

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- • There will be a prep session scheduled ahead of those engagements
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Thank you all so much -

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Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security
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(b)(6)
(b)(6)

Sender:	DASKAL, JENNIFER (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
Recipient:	ULLOA, ISABELLA (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
	PECK, SARAH (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6)
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(b)(6)	
CANEGALLO, KRISTIE (b)(6) (b)(6) (b)(6)	
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FAUSETT, ANDREW (b)(6) (b)(6) (b)(6)
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VINOGRAD, SAMANTHA (b)(6) (b)(6) (b)(6)
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SILVERS, ROBERT (b)(6) (b)(6) (b)(6)
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Lamote, Jason (b)(6) (b)(6) (b)(6)
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(b)(6) Eliz
(b)(6)
Martin, Cynthia (b)(6) (b)(6) (b)(6)
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ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6)
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LUGO, ALICE (b)(6) (b)(6) (b)(6)
(b)(6)
(b)(6)
SEIDMAN, RICKI (b)(6) (b)(6) (b)(6)
(b)(6)
(b)(6)

Sent Date: 2022/04/29 14:58:12

Delivered Date: 2022/04/29 14:58:13

From:	Lamote, Jason (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) CANEGALLO, KRISTIE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) FAUSETT, ANDREW (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) DASKAL, JENNIFER (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) VINOGRAD, SAMANTHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) SILVERS, ROBERT (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	Kozey, Elizabeth (b)(6) (b)(6) (b)(6) Eliz (b)(6) (b)(6) Martin, Cynthia (b)(6) (b)(6) (b)(6) Cyn (b)(6) (b)(6) ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) LUGO, ALICE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	RE: FYSA- Congressional engagement tomorrow
Date:	2022/04/29 14:58:41
Priority:	Normal
Type:	Note

I think it will increase the chances of this becoming a contentious briefing. The staff are already sitting in the lobby.

Jason Lamote

Director - Cyber, Intelligence, Operations
 Office of Legislative Affairs
 Department of Homeland Security

Cell: (b)(6) | Email: (b)(6)

From: ULLOA, ISABELLA (b)(6)
Sent: Friday, April 29, 2022 2:58 PM
To: PECK, SARAH (b)(6) JANKOWICZ, NINA (b)(6)
CANEGALLO, KRISTIE (b)(6) FAUSETT, ANDREW
(b)(6) DASKAL, JENNIFER (b)(6) VINOGRAD,
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ESPINOSA, MARSHA (b)(6) LUGO, ALICE (b)(6) SEIDMAN,
RICKI (b)(6)
Subject: Re: FYSA- Congressional engagement tomorrow

Any chance we can punt to 330?

From: PECK, SARAH (b)(6)
Sent: Friday, April 29, 2022 2:56:02 PM
To: ULLOA, ISABELLA (b)(6) JANKOWICZ, NINA (b)(6)
CANEGALLO, KRISTIE (b)(6) FAUSETT, ANDREW
(b)(6) DASKAL, JENNIFER (b)(6) VINOGRAD,
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RICKI (b)(6)
Subject: RE: FYSA- Congressional engagement tomorrow

The latest version is here. Still waiting on WH sign off.

[04262022 - ROLLOUT - Disinformation Board.docx \(sharepoint.com\)](#)

From: ULLOA, ISABELLA (b)(6)
Sent: Friday, April 29, 2022 2:40 PM
To: JANKOWICZ, NINA (b)(6) CANEGALLO, KRISTIE
(b)(6) FAUSETT, ANDREW (b)(6) DASKAL,
JENNIFER (b)(6) VINOGRAD, SAMANTHA (b)(6)
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ALICE (b)(6) SEIDMAN, RICKI (b)(6)
Subject: Re: FYSA- Congressional engagement tomorrow

Thanks, Nina. We haven't heard back from the WH and I know the first briefing is slated to start in 20 min. Will follow up in short order.

From: JANKOWICZ, NINA (b)(6)
Sent: Friday, April 29, 2022 2:25:30 PM
To: CANEGALLO, KRISTIE (b)(6) ULLOA, ISABELLA

(b)(6) FAUSETT, ANDREW (b)(6) DASKAL, JENNIFER
(b)(6) VINOGRAD, SAMANTHA (b)(6) SILVERS,
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Subject: RE: FYSA- Congressional engagement tomorrow

I understand Isa and Kristie want us to refrain from any projected or written mats so that is the plan unless we hear otherwise. We will speak directly from the cleared document.

([pptx icon Hill Briefing DGB 42922.pptx](#) if these end up being useful at some point down the road, here is a link that I hope functions)

Nina Jankowicz

Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security
C: (b)(6) | O: (b)(6)
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(b)(6)
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From: JANKOWICZ, NINA

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To: CANEGALLO, KRISTIE (b)(6) ULLOA, ISABELLA
(b)(6) FAUSETT, ANDREW (b)(6) DASKAL, JENNIFER
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 Office of Strategy, Policy, and Plans
 U.S. Department of Homeland Security
 C: (b)(6) | O: (b)(6)
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Sender:	Lamote, Jason (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6)

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JANKOWICZ, NINA (b)(6) (b)(6) (b)(6)
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CANEGALLO, KRISTIE (b)(6) (b)(6) (b)(6)
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FAUSETT, ANDREW (b)(6) (b)(6) (b)(6)
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DASKAL, JENNIFER (b)(6) (b)(6) (b)(6)
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VINOGRAD, SAMANTHA (b)(6) (b)(6) (b)(6)
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SILVERS, ROBERT (b)(6) (b)(6) (b)(6)
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Kozey, Elizabeth (b)(6) (b)(6) (b)(6)
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Martin, Cynthia (b)(6) (b)(6) (b)(6)
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ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6)
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LUGO, ALICE (b)(6) (b)(6) (b)(6)
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SEIDMAN, RICKI (b)(6) (b)(6) (b)(6)
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Sent Date: 2022/04/29 14:58:39

Delivered Date: 2022/04/29 14:58:41

From:	(b)(6) (b)(6) (b)(6)
To:	Fernandez, Angelo (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	Media Inquiry (b)(6) (b)(6) (b)(6) (b)(6) Inqui (b)(6) PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	RE: Background on Disinformation Governance Board
Date:	2022/04/29 16:03:13
Priority:	Normal
Type:	Note

Hi Angelo – Thanks for getting back to me. Respectfully, do we not have more information yet on precisely what the board does? Is it just advising other efforts? This doesn't seem to say much besides what Press Secretary Psaki said today and what Ms. Jankowicz tweeted.

(b)(6)

From: Fernandez, Angelo (b)(6)
Sent: Friday, April 29, 2022 3:54 PM
To: (b)(6) (b)(6) (b)(6)
Cc: Media Inquiry (b)(6) PECK, SARAH (b)(6)
Subject: RE: Background on Disinformation Governance Board

Hi,

Apologies for the delay, below is the statement attributable to a DHS spokesperson regarding your inquiry.

Thanks,
Angelo

DHS spokesperson: "DHS began its work on disinformation several years ago. The Department has created the Disinformation Governance Board to ensure this work does not infringe on the fundamental right of free speech and to further protect privacy, civil rights, and civil liberties. To provide this protection, the Board will coordinate the Department's internal activities related to disinformation that poses a threat to homeland security."

From: (b)(6) (b)(6) (b)(6)
Sent: Friday, April 29, 2022 12:11 PM
To: Fernandez, Angelo (b)(6)
Cc: Media Inquiry (b)(6) PECK, SARAH (b)(6)
Subject: RE: Background on Disinformation Governance Board

Thank you! Any background early this afternoon would be very helpful. There are a lot of claims about what this will entail going around, and I didn't see much from Sec. Mayorkas's testimony detailing how it would work.

(b)(6)

From: Fernandez, Angelo (b)(6)
Sent: Friday, April 29, 2022 8:38 AM
To: (b)(6) (b)(6) (b)(6)
Cc: Media Inquiry (b)(6) PECK, SARAH (b)(6)
Subject: RE: Background on Disinformation Governance Board

CAUTION: EXTERNAL SENDER

Hi (b)(6)

Thanks for reaching out, looping in Sarah Peck for your inquiry.

Best,
Angelo

From: (b)(6) (b)(6) (b)(6)
Sent: Friday, April 29, 2022 8:30 AM
To: Media Inquiry (b)(6)
Subject: Background on Disinformation Governance Board

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Hello – (b)(6) (b)(6) at The Washington Post here. I was wondering if you guys had a backgrounder or some kind of release detailing the purview of the Disinformation Governing Board that Secretary Mayorkas mentioned at a hearing this week.

Thanks for any help,

(b)(6)

Sender:	(b)(6) (b)(6) (b)(6)
Recipient:	Fernandez, Angelo (b)(6) (b)(6) (b)(6) (b)(6) Media Inquiry (b)(6) (b)(6) (b)(6) (b)(6) Inqui (b)(6) PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6)

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Sent Date:	2022/04/29 16:02:35
Delivered Date:	2022/04/29 16:03:13

United States Senate

WASHINGTON, DC 20510

April 29, 2022

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, D.C. 20528

Dear Secretary Mayorkas:

On April 27, 2022 at a House Appropriations Committee hearing, you announced the creation of a “Disinformation Governance Board” that will focus on “countering misinformation and disinformation” in America. Separately, Nina Jankowicz announced that she will be employed as the board’s Executive Director. I write today because these actions merit review by Congress, both as a general matter, as well as under the Congressional Review Act and because the actions may be in violation of provisions of the Antideficiency Act.

Establishment of this board will significantly impact Americans’ free speech rights and cuts across numerous areas of government and society. It will change the relationship between the government and the governed to whom it answers. It will also substantially increase administrative costs for the number of different federal agencies engaged in this effort, which will impose increased costs on the American taxpayer.

Given this broad impact, Congress should be setting American policy in this area and certainly reviewing executive action impacting such fundamental rights, and therefore, it is imperative that this action receive congressional review.

Additionally, I write to confirm that you will comply with the requirements of the Congressional Review Act (CRA) in taking this action. Under the CRA, an agency action that falls within the definition of a “rule” must be submitted to Congress for review before it can take effect. 5 U.S.C. § 801(a)(1)(A). “The definition of a rule under the CRA is very broad.” Government Accountability Office B-323772, at 3 (Sept. 4, 2012), *available at* <https://www.gao.gov/assets/b-323772.pdf>. In pertinent part, the CRA defines a rule as: “the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency.” 5 U.S.C. § 551(4). This is not limited to directives requiring notice, public comment, or similar Administrative Procedure Act procedures.

Further, this action may also be a direct violation of provisions of the Antideficiency Act (31 U.S.C. § 1341(a)(1)(A)), which prohibits “making or authorizing an expenditure from, or creating or authorizing an obligation under, any appropriation or fund in excess of the amount available in the appropriation or fund unless authorized by law.”

In this case, it appears that the amount available for this action is “none” and that Congress explicitly defunded it, just weeks ago. Section 513 of Division F of the Fiscal Year 2022 Omnibus Appropriations Act (P.L. 117-103) specifically prohibits the Secretary of Homeland Security from using any funds provided by Congress to carry out Section 872 of the Homeland Security Act of 2002, which means it defunded any action to “allocate or reallocate functions among the officers of the Department of Homeland Security or to establish, consolidate, or alter organizational units within the Department of Homeland Security.”

As you know, an officer or employee, including you, who violates the Antideficiency Act “shall be subject to appropriate administrative discipline,” and, for willful violations, faces a criminal fine, imprisonment, or both. A federal employee who willfully violates the Antideficiency Act, “shall be subject to appropriate administrative discipline including, when circumstances warrant, suspension from duty without pay or removal from office.” A federal employee who “knowingly and willfully” violated it “shall be fined not more than \$5,000, imprisoned for not more than 2 years, or both.”

Plainly, this DHS Disinformation Governance Board imposing significant constraints on the bedrock of American values and freedoms and new costs on the American people requires congressional review and may be a violation of the Antideficiency Act. So that Americans’ elected representatives may timely review the rules and policies implementing this action as required under federal law, please confirm by Monday, May 16, that you will submit it to Congress before it purports to take effect. Further, in order to comply with the Antideficiency Act, you will need to submit a letter to the Director of the Office of Management and Budget, the President, the Congress, and the Comptroller General of the United States providing specific information on the violation if it has indeed occurred.

Thank you, and I look forward to your prompt reply.

Sincerely,

A handwritten signature in black ink that reads "Bill Hagerty". The signature is written in a cursive, flowing style.

Bill Hagerty
United States Senator

From:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6)
To:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	DGB
Date:	2022/05/01 14:58:00
Priority:	Normal
Type:	Note

Version 1 we sent the WH:

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Version 2 we sent the WH:

(b)(5)

Sarah Peck
 Deputy Assistant Secretary for Communications
 Department of Homeland Security
 Cell: (b)(6)

Sender:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/01 14:58:15
Delivered Date:	2022/05/01 14:58:00

DHS FACT SHEET:

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From:	(b)(6) (b)(6) (b)(6)
To:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	Fernandez, Angelo (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	Re: For your article
Date:	2022/05/02 17:01:49
Priority:	Normal
Type:	Note

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Thank you!!

(b)(6) (b)(6)

CNN Reporter, Immigration

Cell/Signal/WhatsApp: (b)(6)

From: PECK, SARAH (b)(6)
Date: Monday, May 2, 2022 at 4:53 PM
To: (b)(6) (b)(6) (b)(6)
Cc: Fernandez, Angelo (b)(6)
Subject: For your article

EXTERNAL SENDER: Caution opening links or attachments

Fact Sheet: DHS Internal Working Group Protects Free Speech and Other Fundamental Rights When Addressing Disinformation That Threatens the Security of the United States

The U.S. Department of Homeland Security is charged with safeguarding the United States against threats to its security, including threats exacerbated by disinformation.

Disinformation, which is false information that is deliberately spread with the intent to deceive or mislead, can take many forms. When it comes to DHS’s work, the Department is focused on disinformation that threatens the security of the American people, including disinformation spread by foreign states such as Russia, China, and Iran, or other adversaries such as transnational criminal organizations and human smuggling organizations. Such malicious actors often spread disinformation to exploit vulnerable individuals and the American public, including during national emergencies.

For nearly 10 years, different agencies across DHS have worked to address disinformation that threatens our homeland security. Here are some examples:

- U.S. Customs and Border Protection (CBP) counters disinformation that cartels and human smugglers spread to migrants to persuade them to cross our southwest border illegally. CBP's work includes its "Say No to the Coyote" campaign, making clear that entering the United States illegally is a crime.
- In 2012, during Hurricane Sandy, the Federal Emergency Management Agency (FEMA) corrected false information about the safety of drinking water and the location of shelters, to protect and serve the hurricane's victims. FEMA has since built capacity to identify and respond to false information during major disaster responses, including Hurricanes Maria and Ida, during which FEMA provided critical information to protect disaster survivors from targeted scams. FEMA also ensures that disinformation campaigns do not prevent Americans from accessing federal aid during and after disasters.
- The Cybersecurity and Infrastructure Security Agency (CISA) works with private sector stakeholders to mitigate the risk of disinformation to U.S. critical infrastructure, work that has continued in light of Russia's invasion of Ukraine.

The Department identifies disinformation that threatens the homeland through publicly available sources, research conducted by academic and other institutions, and information shared by other federal agencies and partners. DHS then shares factual information related to its mission to potentially impacted people and organizations.

The Department is deeply committed to doing all of its work in a way that protects Americans' freedom of speech, civil rights, civil liberties, and privacy. In fact, the Disinformation Governance Board is an internal working group that was established with the explicit goal of ensuring these protections are appropriately incorporated across DHS's disinformation-related work and that rigorous safeguards are in place. The working group also seeks to coordinate the Department's engagements on this subject with other federal agencies and a diverse range of external stakeholders. The working group does not have any operational authority or capability. There has been confusion about the working group, its role, and its activities. The reaction to this working group has prompted DHS to assess what steps we should take to build the trust needed for the Department to be effective in this space. As a result, we will be taking the following additional steps:

- Under Secretary Mayorkas's leadership, the Department has renewed its commitment to transparency and openness with the public and Congress. DHS will proactively release comprehensive quarterly reports about the working group's activities to Congress, including its oversight committees.
- Secretary Mayorkas will request that the bipartisan Homeland Security Advisory Council (HSAC) make recommendations for how the Department can most effectively and appropriately address disinformation that poses a threat to the homeland, while protecting free speech and other fundamental rights, and that HSAC Co-Chair Jamie Gorelick and HSAC Member Michael Chertoff lead this effort. Ms.

Gorelick is a former U.S. Deputy Attorney General and Mr. Chertoff was Secretary of Homeland Security during President George W. Bush's Administration.

- At Secretary Mayorkas's request, DHS is exploring additional ways to enhance the public's trust in this important work.

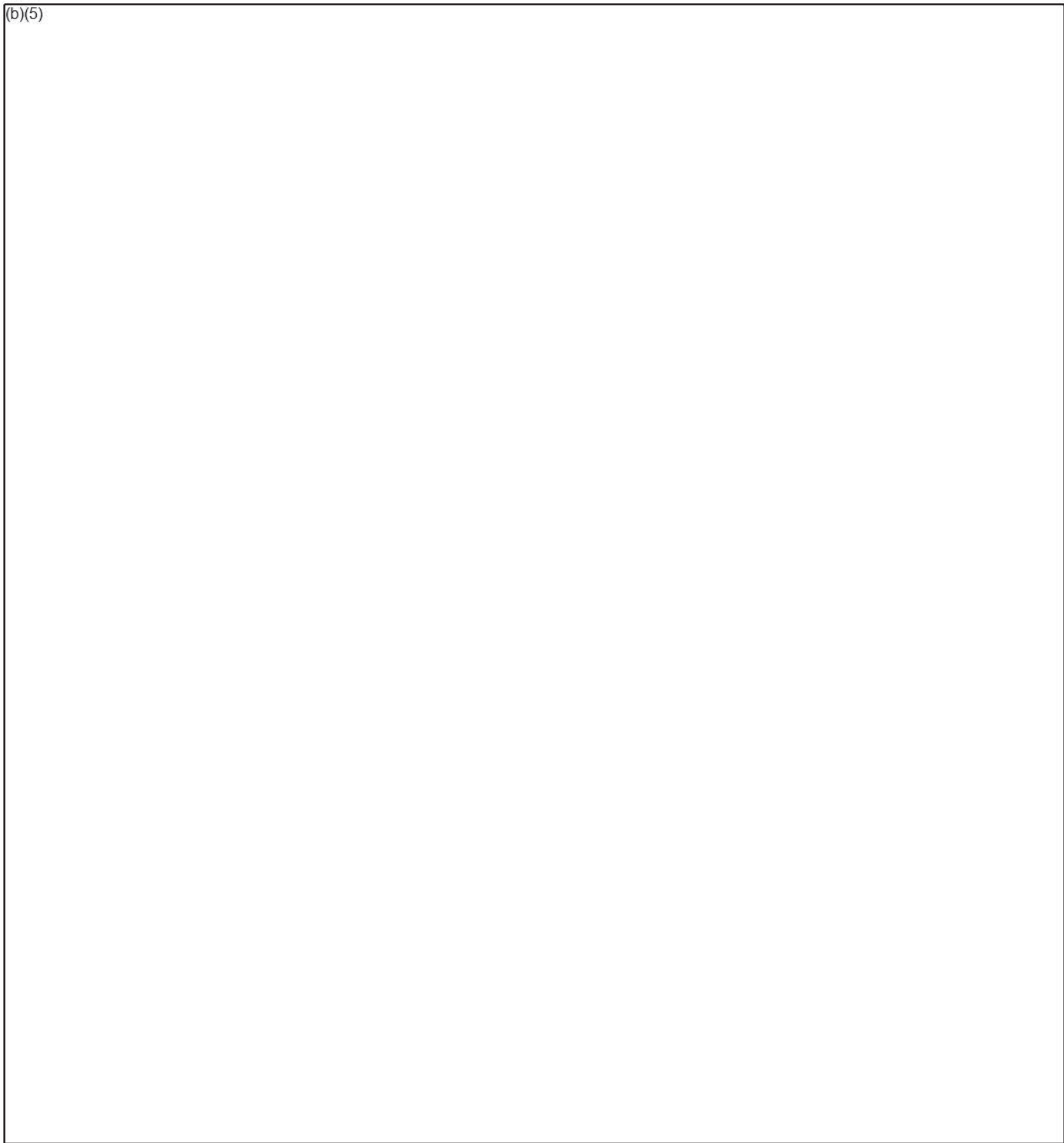
The working group is co-chaired by the DHS Office of Policy and Office of the General Counsel, and includes other DHS leaders from CISA, FEMA, CBP, the Office for Civil Rights and Civil Liberties, Office of Intelligence and Analysis, Science and Technology Directorate, and Privacy Office.

Sender:	(b)(6) (b)(6) (b)(6)
Recipient:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) Fernandez, Angelo (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/02 17:01:42
Delivered Date:	2022/05/02 17:01:49

From:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	DASKAL, JENNIFER (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) Fernandez, Angelo (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	TPs for call
Date:	2022/05/02 17:12:49
Priority:	Normal
Type:	Note

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Sender:	PECK, SARAH (b)(6) (b)(6) (b)(6)
	(b)(6)
Recipient:	DASKAL, JENNIFER (b)(6) (b)(6) (b)(6)
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	(b)(6)
	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6)

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	Fernandez, Angelo	(b)(6)	(b)(6)	(b)(6)
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Sent Date:	2022/05/02 17:12:47			
Delivered Date:	2022/05/02 17:12:49			

From:	FAUSETT, ANDREW (b)(6) (b)(6) (b)(6) (b)(6)
To:	ILD Internal (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	FW: DGB Steering Group Meeting Today, 4pm
Date:	2022/05/02 17:40:00
Priority:	Normal
Type:	Note

FYI.

Andrew Fausett
Assistant General Counsel for Information Sharing
U.S. Department of Homeland Security
Office Number: (b)(6) (DHS HQ) (b)(6) (NVC)
Secure Number: (b)(6) DHS HQ (b)(6) (NVC)
Mobile Number: (b)(6)
(b)(6) (Unclassified)
(b)(6) (Secret)
(b)(6) (Top Secret//SCI)
(he/him/his)

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From: JANKOWICZ, NINA (b)(6)
Sent: Monday, May 2, 2022 5:14 PM
To: VINOGRAD, SAMANTHA (b)(6) RAZSI, DUSTIN
(b)(6) BENDER, ALFRED (b)(6) MAURER, TIM
(b)(6) DASKAL, JENNIFER (b)(6) MIRANDA, LUIS A
(b)(6) Spishak, Cynthia (b)(6) DOBITSCH,
STEPHANIE (b)(6) Wright, Christopher (b)(6)
Saupp, Kevin (b)(6) FAUSETT, ANDREW (b)(6) Coulter,
Kathryn (b)(6) Cotter, Daniel (b)(6) ESPINOSA,
MARSHA (b)(6) FALCON, ERIC (b)(6) SIKORSKYJ, LUCIAN
(b)(6) CARTER, JEFFREY T (b)(6) Lamote, Jason
(b)(6) Cofield, Valerie (She/Her) (b)(6) Legault, Richard
(b)(6) Hitt, Lucas (b)(6) DUPREE, LYNN
(b)(6) PECK, SARAH (b)(6) Mina, Peter
(b)(6) PATCH, MILTON (b)(6) SNYDER, NATHANIEL
(b)(6) BURRIESCI, KELLI ANN (b)(6) Beckmann,
Luke (b)(6) Sterling, Brian (b)(6) Schaul, Robert
(b)(6) MILLONA, EVA (b)(6) WATERS, ERIN

From:	MAIA SILVA, EDUARDO (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) Howard, Tammy (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	PressTeam (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) OPA Strategic Communications (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	Public Affairs Daily Wrap: May 2, 2022
Date:	2022/05/02 18:46:53
Priority:	Normal
Type:	Note

Public Affairs Daily Wrap

PRESS TEAM ON INBOX

This Week, May 2 – May 6: Eduardo Silva
This Weekend, May 7 – May 8: Ruth Clemens

SOCIAL MEDIA TEAM ON CALL

This Week, April 25 – April 29: Erin Waters
This Weekend, April 30 – May 1: Erin Waters

NOTES FOR MARSHA

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NOTABLE CLIPS

Washington Post: DHS tries to right controversial rollout of its ‘disinformation governance board’ (Cristiano Lima)

According to Homeland Security Secretary Alejandro Mayorkas, there's a lot of misinformation out there about the department's newly launched "Disinformation Governance Board." Since DHS announced the ominously named initiative last week, it has offered few details about the scope of its work and powers. Amid that informational void, Republicans and some civil society groups have bashed the effort as a potential vehicle for government censorship and a threat to free speech. House Minority Leader Kevin McCarthy (R-Calif.) likened the group to the fictional "Ministry of Truth" propaganda agency from George Orwell's dystopian novel "1984." During a pair of television interviews on Sunday, Mayorkas cast those concerns as misplaced but said DHS should have defined the board's role more clearly. "Those criticisms are precisely the opposite of what this small working group within the Department of Homeland Security will do," Mayorkas told CNN. "I think we probably could have done a better job of communicating what it does and does not do." Mayorkas said that part of the group's mandate is "to ensure that the way in which we address threats ... [occurs without] infringing on free speech, protecting civil rights and civil liberties, the right of privacy." The agency initially said the board would focus on countering disinformation coming from Russia ahead of the midterm elections and from human smugglers targeting migrants on the U.S.-Mexico border. But it said relatively little about what exact function it would serve, and its critics on the right seized on the board's broad-sounding name to suggest something more nefarious was afoot.

VICE News: Kids Allege Medical Neglect, Frigid Cells, and Rotten Burritos in Border Detention (Keegan Hamilton)

One 9-year-old boy described feeling so cold his "bones hurt." Teenage mothers said they were denied milk, diapers, and medicine for sick babies. A 17-year-old boy reported witnessing other children being tased as punishment. These allegations are just a handful of what's described in recent complaints obtained by VICE News and filed on behalf of thousands of migrant children detained last year by U.S. Customs and Border Protection, or CBP. The children's names have been withheld in the complaints because they fear retaliation for speaking out. The complaints, detailed here for the first time since being filed on April 6, allege migrant children in CBP custody are routinely denied medical care, served rotten or inedible food, and abused verbally and physically. The complaints also allege CBP routinely violates a court order that's supposed to limit a kid's time in CBP custody to 72 hours; instead they're subjected to prolonged stays in frigid holding cells known as hieleras or ice boxes. The Biden administration has said it's preparing for another wave of migration with the pending rollback of Title 42, a Trump-era policy that has enabled border agents to turn away nearly everyone except unaccompanied children. While officials claim conditions are improving, the complaints paint a grim picture of what awaits those who attempt to cross, especially young people. "We expect now that Title 42 is going away, this is just going to worsen," said Carson Scott, an attorney with Immigrant Defenders Law Center. "Advocates have consistently been sounding the alarm bells. When we have waves of more children crossing the border, conditions get even worse."

Washington Post: Opinion: The Disinformation Governance Board is a bad name and a sillier idea (Eugene Robinson)

Nothing is more important to the future of our democracy than the fight against disinformation. But a new Department of Homeland Security unit — ominously called the Disinformation

Governance Board — is not helping. To the contrary, it only promises to provide aid and comfort to the enemies of truth. DHS Secretary Alejandro Mayorkas should pull the plug on the new board. Like, yesterday. And never speak of it again. The problems begin with the worst name I've ever heard the federal government come up with, and that's saying something. Disinformation Governance Board? To call the unit's name Orwellian is an insult to George Orwell, who was a masterful prose stylist and who wrote a famous essay, "Politics and the English Language," railing against sins such as "staleness of imagery" and "lack of precision." I can see how disinformation requires monitoring. I can see how it requires fact-checking and refutation. But governance? How do you govern lies? Beyond the issue of the name is the still-mystifying question about what the board is supposed to do. At congressional hearings this past week, Mayorkas veered from pitching it as an effort to counteract Russian-style meddling in our elections to portraying it as an effort to protect Spanish-speaking migrants from lies told by the criminals who smuggle them into the country. He failed to make clear exactly how the board was supposed to accomplish either of these tasks. "I think we probably could have done a better job of communicating what it does and does not do," Mayorkas said Sunday on CNN.

The Hill: White House pledges DHS disinfo board will be 'nonpartisan and apolitical'
(Morgan Chalfant)

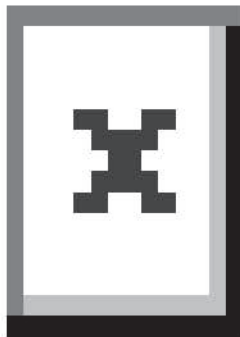
White House press secretary Jen Psaki said Monday that a board on disinformation recently convened by the Department of Homeland Security will operate "in a nonpartisan and apolitical manner." "The mandate is not to adjudicate what is true or false online or otherwise," Psaki told reporters during a briefing. "It will operate in a nonpartisan and apolitical manner. It's basically meant to coordinate a lot of the ongoing work that is happening ... and the focus is on disinformation and threats to the homeland." Psaki said that the board would address disinformation related to threats such as violent extremism, human trafficking and malign foreign influence. She also noted — as she did last week — that the work of the board started under former President Trump's administration in 2020. Republicans have attacked the board since its creation was disclosed last week, comparing the effort to the "Ministry of Truth" depicted in George Orwell's dystopian novel "1984." Some have also zeroed in on the board's executive director, Nina Jankowicz, suggesting that she can't be neutral because of tweets that she sent in 2020 regarding a New York Post story about a laptop purportedly belonging to President Biden's son Hunter Biden. Jankowicz, an expert in disinformation and eastern Europe, at the time amplified the opinion of national security experts that the laptop was part of a Russian influence operation. Publications including The Washington Post have since verified content on the laptop. Conservatives have also mocked Jankowicz over a TikTok video she made about disinformation. Psaki and other Biden officials have defended Jankowicz, describing her as highly qualified to lead the new Disinformation Governance Board.

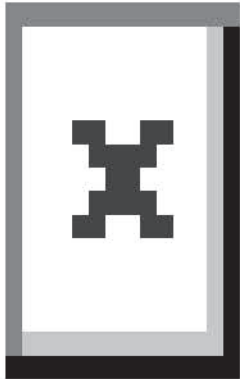
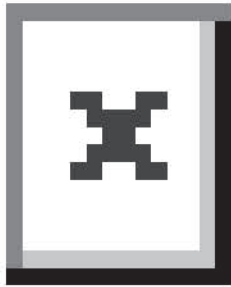
CNN: Biden administration defends disinformation board from fierce GOP criticism
(Priscilla Alvarez and Sean Lyngaas)

The Department of Homeland Security and the White House are defending a new initiative to help target disinformation amid fierce criticism from Republicans who cast the effort as overreach and attacked its leader. Last week, DHS announced an interagency team, dubbed the "Disinformation Governance Board," to coordinate department activities related to

disinformation aimed at the US population and infrastructure. Nina Jankowicz, a disinformation expert with experience working on Ukraine and Russia issues, was tapped to helm the board, along with two senior DHS officials, including acting Principal Deputy General Counsel Jen Daskal. [...] In a fact sheet released Monday afternoon, DHS said Mayorkas has asked department officials to enhance the public's trust in the group. Mayorkas has also asked the bipartisan Homeland Security Advisory Council to recommend ways DHS can address disinformation while "protecting free speech and other fundamental rights," according to the fact sheet. Jamie Gorelick -- the council's co-chair and a former US deputy attorney general -- will lead the effort along with Michael Chertoff, a member of the council who was secretary of Homeland Security under President George W. Bush.

SOCIAL MEDIA





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Sender:	MAIA SILVA, EDUARDO (b)(6) (b)(6) (b)(6)
	(b)(6)
Recipient:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6)
	(b)(6)

	Howard Tammv (b)(6) (b)(6) (b)(6) (b)(6)
	PressTeam (b)(6) (b)(6) (b)(6) (b)(6)
	OPA Strategic Communications (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/02 18:46:50
Delivered Date:	2022/05/02 18:46:53

**DRAFT Fact Sheet: DHS Internal Working Group Protects Free Speech and Other
Fundamental Rights When Addressing Disinformation That Threatens the
Security of the United States**

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(b)(5)

of the Freedom of Information and Privacy Act

Significant Correspondence Report



5.2.22

Control Number	Date Received	To	From	Summary	Counselor	Tasked	Signature Level	Priority Level	Priority Due Date	Secretary Notes
1231689 22-2388	04.29.22	S1	Sen. Hagerty (TN)	Writes regarding the creation of the Disinformation Governance Board.	Kevin Beth	PLCY	(b)(5)			
1231690 22-2389	04.29.22	S1	Rep. Turner (OH) +1	Write requesting information on the Disinformation Governance Board.	Kevin Beth	PLCY				
1231695 22-2392	05.02.22	S1	AG Schmitt (MO)	Writes with concerns over the Disinformation Governance Board.	Kevin Beth	PLCY				
1231688 22-2371	05.02.22	S1, Sec. Blinken, Sec. Becerra	Governor Whitmer (MI)	Writes regarding federal financial and social support available to various immigrant populations.	Immigration Team	PLCY				
1231036 22-2321	05.02.22	S1	Rep. Jordan (OH)	Hearing follow up.	Immigration Team	PLCY				

United States Senate

WASHINGTON, DC 20510

April 29, 2022

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, D.C. 20528

RECEIVED

By ESEC at 5:31 pm, Apr 29, 2022

Dear Secretary Mayorkas:

On April 27, 2022 at a House Appropriations Committee hearing, you announced the creation of a “Disinformation Governance Board” that will focus on “countering misinformation and disinformation” in America. Separately, Nina Jankowicz announced that she will be employed as the board’s Executive Director. I write today because these actions merit review by Congress, both as a general matter, as well as under the Congressional Review Act and because the actions may be in violation of provisions of the Antideficiency Act.

Establishment of this board will significantly impact Americans’ free speech rights and cuts across numerous areas of government and society. It will change the relationship between the government and the governed to whom it answers. It will also substantially increase administrative costs for the number of different federal agencies engaged in this effort, which will impose increased costs on the American taxpayer.

Given this broad impact, Congress should be setting American policy in this area and certainly reviewing executive action impacting such fundamental rights, and therefore, it is imperative that this action receive congressional review.

Additionally, I write to confirm that you will comply with the requirements of the Congressional Review Act (CRA) in taking this action. Under the CRA, an agency action that falls within the definition of a “rule” must be submitted to Congress for review before it can take effect. 5 U.S.C. § 801(a)(1)(A). “The definition of a rule under the CRA is very broad.” Government Accountability Office B-323772, at 3 (Sept. 4, 2012), *available at* <https://www.gao.gov/assets/b-323772.pdf>. In pertinent part, the CRA defines a rule as: “the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency.” 5 U.S.C. § 551(4). This is not limited to directives requiring notice, public comment, or similar Administrative Procedure Act procedures.

Further, this action may also be a direct violation of provisions of the Antideficiency Act (31 U.S.C. § 1341(a)(1)(A)), which prohibits “making or authorizing an expenditure from, or creating or authorizing an obligation under, any appropriation or fund in excess of the amount available in the appropriation or fund unless authorized by law.”

In this case, it appears that the amount available for this action is “none” and that Congress explicitly defunded it, just weeks ago. Section 513 of Division F of the Fiscal Year 2022 Omnibus Appropriations Act (P.L. 117-103) specifically prohibits the Secretary of Homeland Security from using any funds provided by Congress to carry out Section 872 of the Homeland Security Act of 2002, which means it defunded any action to “allocate or reallocate functions among the officers of the Department of Homeland Security or to establish, consolidate, or alter organizational units within the Department of Homeland Security.”

As you know, an officer or employee, including you, who violates the Antideficiency Act “shall be subject to appropriate administrative discipline,” and, for willful violations, faces a criminal fine, imprisonment, or both. A federal employee who willfully violates the Antideficiency Act, “shall be subject to appropriate administrative discipline including, when circumstances warrant, suspension from duty without pay or removal from office.” A federal employee who “knowingly and willfully” violated it “shall be fined not more than \$5,000, imprisoned for not more than 2 years, or both.”

Plainly, this DHS Disinformation Governance Board imposing significant constraints on the bedrock of American values and freedoms and new costs on the American people requires congressional review and may be a violation of the Antideficiency Act. So that Americans’ elected representatives may timely review the rules and policies implementing this action as required under federal law, please confirm by Monday, May 16, that you will submit it to Congress before it purports to take effect. Further, in order to comply with the Antideficiency Act, you will need to submit a letter to the Director of the Office of Management and Budget, the President, the Congress, and the Comptroller General of the United States providing specific information on the violation if it has indeed occurred.

Thank you, and I look forward to your prompt reply.

Sincerely,

A handwritten signature in black ink that reads "Bill Hagerty". The signature is written in a cursive, flowing style.

Bill Hagerty
United States Senator

Congress of the United States
House of Representatives
Washington, DC 20515

April 29, 2022

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
Washington, DC 20528

RECEIVED
By ESEC at 5:31 pm, Apr 29, 2022

Dear Secretary Mayorkas:

We write to express our profound concern with the Department of Homeland Security's recent creation of a "Disinformation Governance Board".¹ In testimony before Congress, you stated that the Board's purpose would be to "combat disinformation" ahead of the November midterms.² According to media reports, as executive director of the Board, the Administration has chosen Nina Jankowicz, formerly a "disinformation fellow" at the Wilson Center.³

Given the complete lack of information about this new initiative and the potential serious consequences of a government entity identifying and responding to "disinformation," we have serious concerns about the activities of this new Board, particularly under Ms. Jankowicz's leadership. Among other things, she stated publicly that the Hunter Biden laptop should be "view[ed] as a Trump campaign product."⁴ Following Elon Musk's recent purchase of Twitter, Ms. Jankowicz tweeted: "I shudder to think about if free speech absolutists were taking over more platforms."⁵

To further our investigation of this matter and in preparation of Fiscal Year 2023 funding decisions, we request that you provide the following information:

¹ See, e.g., Katelyn Caralle, "Biden sets up 'Disinformation Board' headed by Russia expert who called Hunter's laptop a 'Trump campaign product' and said she 'shudders to think' about Elon Musk taking over Twitter," Daily Mail, Apr. 27, 2022, <https://www.dailymail.co.uk/news/article-10760907/Biden-starts-Disinformation-Board-led-Russia-expert-called-Hunters-laptop-Trump-product.html>.

² Bradford Betz, "Mayorkas testifies DHS is creating 'Disinformation Governance Board'," Fox News, April 27, 2022, <https://www.foxnews.com/politics/mayorkas-dhs-disinformation-governance-board>.

³ Wilson Center, <https://www.wilsoncenter.org/person/nina-jankowicz>.

⁴ "Explainer: Trump seizes on dubious Hunter Biden-Ukraine story," N.Y. Daily News, Oct. 15, 2020, <https://www.nydailynews.com/news/politics/us-elections-government/ny-election-2020-biden-20201015-7xixsgtexpfenjiv62ryiyism-story.html>.

⁵ <https://twitter.com/wiczipedia/status/1518643449225953287>.

1. All documents and communications in your agency's possession referring or relating to the creation of the Disinformation Governance Board, including any assessment of the need for such an entity.
2. All documents and communications in your agency's possession referring or relating to the use of Intelligence Community resources for the creation or activities of the Disinformation Governance Board, or activities related to its mission.
3. All documents and communications in your agency's possession referring or relating to the appointment of Nina Jankowicz as Executive Director of the Disinformation Governance Board.

Please provide this information as soon as possible, but **no later than May 13, 2022**. Thank you for your prompt attention to this request.

Sincerely,



Michael R. Turner
Ranking Member
Permanent Select Committee on Intelligence



John Katko
Ranking Member
Committee on Homeland Security

cc: The Honorable Avril Haines, Director of National Intelligence



ATTORNEY GENERAL OF MISSOURI
ERIC SCHMITT

April 29, 2022

Hon. Alejandro Mayorkas
U.S. Department of Homeland Security
245 Murray Lane, SW
Washington, D.C. 20528

RECEIVED

By ESEC at 10:52 am, May 02, 2022

Dear Secretary Mayorkas:

At a congressional hearing Wednesday, you announced the establishment of a “Disinformation Governance Board” to focus the resources of the Department of Homeland Security (DHS) on the threat of “mis/disinformation.”¹ This statement should shock the very core of the American belief system, a threat to free speech that will rightly alarm freedom-loving people across America, including those in my home state of Missouri. This is because we know instinctively that shadowy government programs that promise protection from the “bogeyman” are in reality, clumsy attempts by deep-staters to slowly steal our liberties and invade our privacy step by step, while hoping we don’t notice. We are noticing.

Remarkably, the Biden Administration seems to believe it has both the wisdom and the authority to tell citizens what is true and what is false and what to believe and not believe. In what might well have been written as a response to DHS’s Orwellian announcement, the United States Supreme Court has clearly spoken on this subject, proclaiming that “Our constitutional tradition stands against the idea that we need Oceania’s Ministry of Truth.” *United States v. Alvarez*, 567 U.S. 709, 723 (2012) (per curiam) (citing G. Orwell, *Nineteen Eighty-Four* (1949) (Centennial ed. 2003)).

Here in the “Show Me” State of Missouri, we have a reputation for being suspicious of big-government bureaucrats offering to “help”—especially when they ask us to give up a bit of “essential liberty” in exchange for their “paid protection.” There are very good reasons for our skepticism, not the least of which is that yesterday’s “misinformation” often becomes tomorrow’s established fact. It isn’t hard to find examples of this right in front of our noses.

In early 2020, social-media platforms began to censor speech suggesting that COVID-19 leaked from a lab in Wuhan, China. Any suggestions of the obvious in this case were met with cries of “conspiracies, misinformation and disinformation.” Today, the Wuhan lab leak

¹ <https://www.politico.com/newsletters/playbook/2022/04/27/fauci-pulls-out-of-whcd-is-biden-next-00028131>

possibility is widely accepted, including by the Biden Administration, and it is supported by compelling circumstantial evidence.

On the eve of the 2020 election, the Biden campaign and its allies attacked reports of scandalous and likely illegal information on a laptop belonging to Hunter Biden. Once again, this inconvenient story was labeled “disinformation.” Today, a year-and-a-half later, it is suddenly accepted as truthful.

Those of us against mask mandates were told we were spreading disinformation that might “kill grandma.” Today, there is overwhelming evidence that not only do masks not work in curbing the spread of disease, but they also are actually harmful to the social and educational development of our children, as well as their mental health.

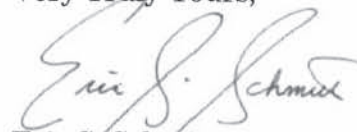
In fact, the Biden Administration frequently applies terms like “misinformation” and “disinformation,” not based on actual truth or falsity, but based on their preferred political narrative. This has resulted, again and again, in the suppression of truth and has given the American people good reason to look askance at the government’s efforts to control what we hear and read, the personal conclusions we come to about what is true and false and what we believe. This is frightening and extremely dangerous. We are thinking people. We needn’t have Big Government’s “help” in deciding what we think is true.

There is already a clear way to address false and misleading speech while respecting the rights of each and every citizen. It is called “more speech,” and it is enshrined in the First Amendment, the beating heart of our Constitution. “Society has the right and civic duty to engage in open, dynamic, rational discourse. These ends are not well-served when the government seeks to orchestrate public discussion through content-based mandates.” *Alvarez*, 567 U.S. at 728.

I also find curious the timing of this announcement. Based on this Administration’s pattern of censorship, the timing of the Disinformation Governance Board’s unveiling is suspicious, raising questions as to whether it is related to the purchase of Twitter by Elon Musk, who has publicly pledged to honor principles of free speech on the platform.

The people of this country are a free people who believe in and practice self-government. We revere our flag, and we respect the rule of law. We also understand that our rights, including the right to free speech, are God-given, not given by a king or queen or even a Disinformation Governance Board. So if you continue to try and trample on our free speech rights under the false banner of “disinformation,” on behalf of the citizens of the State of Missouri, I will fight this government overreach every single step of the way. The future of our Republic is at stake.

Very Truly Yours,



Eric S. Schmitt

Attorney General of Missouri

From:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	Mayorkas, Alejandro (b)(6) (b)(6) (b)(6) (b)(6)
CC:	CANEGALLO, KRISTIE (b)(6) (b)(6) (b)(6) (b)(6) REZMOVIC, JEFFREY (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6) (b)(6) PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	RE: Biden administration defends disinformation board from fierce GOP criticism
Date:	2022/05/02 19:16:07
Priority:	Normal
Type:	Note

I will ask.

For background, we provided Jen & Rob's name to reporters last week and you also mentioned them in your hearings.

From: Mayorkas, Alejandro (b)(6)
Sent: Monday, May 2, 2022 7:05 PM
To: ESPINOSA, MARSHA (b)(6)
Cc: CANEGALLO, KRISTIE (b)(6) REZMOVIC, JEFFREY (b)(6)
 ULLOA, ISABELLA (b)(6) SEIDMAN, RICKI (b)(6)
 PECK, SARAH (b)(6)
Subject: Re: Biden administration defends disinformation board from fierce GOP criticism

Jen Daskal's name should not be included.

Alejandro N. Mayorkas
 Secretary

From: ESPINOSA, MARSHA (b)(6)
Sent: Monday, May 2, 2022 7:01:45 PM
To: Mayorkas, Alejandro (b)(6)
Cc: CANEGALLO, KRISTIE (b)(6) REZMOVIC, JEFFREY (b)(6)
 ULLOA, ISABELLA (b)(6) SEIDMAN, RICKI (b)(6)

(b)(6)

PECK, SARAH (b)(6)

Subject: CNN: Biden administration defends disinformation board from fierce GOP criticism

CNN: Biden administration defends disinformation board from fierce GOP criticism (Priscilla Alvarez and Sean Lyngaas)

The Department of Homeland Security and the White House are defending a new initiative to help target disinformation amid fierce criticism from Republicans who cast the effort as overreach and attacked its leader.

Last week, DHS announced an interagency team, dubbed the "Disinformation Governance Board," to coordinate department activities related to disinformation aimed at the US population and infrastructure. Nina Jankowicz, a disinformation expert with experience working on Ukraine and Russia issues, was tapped to helm the board, along with two senior DHS officials, including acting Principal Deputy General Counsel Jen Daskal.

Jankowicz's appointment quickly drew condemnation from GOP lawmakers and right-wing media, who pointed to her past tweets and statements regarding Hunter Biden's laptop and Christopher Steele, the author of the so-called Steele Dossier.

Jankowicz weighed in more recently on Elon's Musk's bid to buy Twitter, writing, "I shudder to think about if free speech absolutists were taking over more platforms, what that would look like for the marginalized communities ... which are already shouldering ... disproportionate amounts of this abuse."

The Republican-led backlash was swift. GOP Reps. John Katko of New York and Mike Turner of Ohio sent a letter to Homeland Security Secretary Alejandro Mayorkas, raising "serious concerns" with the initiative under Jankowicz. Republican Sen. Josh Hawley of Missouri similarly wrote a letter to Mayorkas, arguing the board is "dangerous and un-American" and calling for it to be dissolved.

The board, though, is an internal working group and doesn't have operational authority, instead serving in a more advisory role. It's intended to gather best practices and support counter-disinformation activities, not monitor Americans, Mayorkas said on CNN's "State of the Union" on Sunday.

"It works to ensure that the way in which we address threats, the connectivity between threats and acts of violence that are addressed without infringing on free speech, protecting civil rights and civil liberties, the right of privacy," Mayorkas said, conceding that the department could've done a better job of explaining the group's role.

"This working group, internal working group, will draw from best practices and communicate those best practices to the operators because the board does not have operational authority," Mayorkas added.

In a fact sheet released Monday afternoon, DHS said Mayorkas has asked department officials to enhance the public's trust in the group.

Mayorkas has also asked the bipartisan Homeland Security Advisory Council to recommend ways DHS can address disinformation while "protecting free speech and other fundamental rights," according to the fact sheet.

Jamie Gorelick -- the council's co-chair and a former US deputy attorney general -- will lead the effort along with Michael Chertoff, a member of the council who was secretary of Homeland Security under President George W. Bush.

"There has been confusion about the working group, its role, and its activities. The reaction to this working group has prompted DHS to assess what steps we should take to build the trust needed for the Department to be effective in this space," the fact sheet stated, adding that the group will release quarterly reports about its work to Congress.

CNN has reached out to Jankowicz for additional comment. Jankowicz announced her appointment on Twitter last week and responded to some of the criticism regarding a tweet on Hunter Biden's laptop during a 2020 presidential debate.

"For those who believe this tweet is a key to all my views, it is simply a direct quote from both candidates during the final presidential debate. If you look at my timeline, you will see I was livetweeting that evening," she wrote.

The board will also not be putting out fact checks, as critics have suggested.

Jankowicz has focused on disinformation and Eastern Europe for years and advised the Ukrainian Foreign Ministry on the subject in 2016 and 2017, according to her website. She is fluent in Russian, and her book "How to Lose the Information War" examines how five Western governments have dealt with Russian disinformation.

Despite her expertise, critics argue she's biased against claims of Democrats' misdeeds, former President Donald Trump's record, Covid-19 measures and free speech, among other issues. In a TikTok video posted prior to her appointment to lead the board, for example, Jankowicz singled out Rudy Giuliani and TikTok influencers to a Mary Poppins jingle.

"When Rudy Giuliani shared bad intel from Ukraine or when TikTok influencers say Covid can't cause pain, they're laundering disinfo and we really should take note, and not support their lies with our wallet, voice, or vote," she said.

White House press secretary Jen Psaki came to Jankowicz's defense on Monday.

"The woman you noted has extensive experience and has done extensive work addressing disinformation," Psaki said. "She has testified before Congress; she has testified in Europe. She has worked closely with the Ukrainians and has unique expertise, especially at this moment we're facing."

In network interviews Sunday, Mayorkas also stood by Jankowicz. Asked about Republican criticism of Jankowicz and her ability to be objective by CNN's Dana Bash, Mayorkas replied: "Eminently qualified, a renowned expert in the field of disinformation."

The concept of the board dates to last year. At the time, Homeland Security officials began discussing a group to provide guidance on policies and privacy protection questions, given that agencies within the department were already collecting information for purposes related to their missions, according to John Cohen, the former acting head of the DHS Office of Intelligence and Analysis.

One of the questions the working group could help with, officials thought, was whether agencies could share information with one another that they had obtained through their own authorities, Cohen said.

"Every threat area of concern to the department is impacted by the fact that foreign intelligence services, terrorist groups, criminal organizations are spreading disinformation via internet-based communication platforms," Cohen said.

The "Disinformation Governance Board" focuses first on disinformation surrounding human migration into the US and potential disinformation threats from Russia aimed at US critical infrastructure, DHS said in a news release last week.

Russian disinformation campaigns against Americans have gone on for years, including during election cycles. US officials are always watching for new signs of Kremlin-backed efforts to sow divisions, particularly in light of Russia's war in Ukraine.

Meanwhile, US challenges in dealing with migrants trying to enter the US are exacerbated by smugglers who "make a profit by spreading false information that endangers lives," DHS said in last week's news release.

Last week, during congressional hearings, Mayorkas warned of a rise in misinformation and disinformation trying to target the integrity of the election system.

"We are seeing a rise in misinformation and disinformation that is attempting to strike at the integrity of the election system and people's right to vote," Mayorkas said when asked by Rep. Hank Johnson, a Georgia Democrat, about radicalization before the upcoming 2022 elections.

Mayorkas said he had addressed secretaries of state throughout the country a few weeks ago to discuss efforts to ensure the safety of officials and the electoral system.

###

Sender:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	Mayorkas, Alejandro (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) CANEGALLO, KRISTIE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) REZMOVIC, JEFFREY (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/02 19:16:05

Delivered Date: 2022/05/02 19:16:07

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Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 218

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From:	WATERS, ERIN (b)(6) (b)(6) (b)(6)
To:	(b)(6)
CC:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) MAYER, JASON (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	RE: Flagging: new fact sheet
Date:	2022/05/02 20:40:00
Priority:	Normal
Type:	Note

Secretary,

Below is a selection of coverage we've seen on the issue. I've also attached a transcript from Secretary Mayorkas' Sunday show appearances, which each covered this topic. Please let me know if we can provide more at this time.

- **CNN:** [Biden administration defends disinformation board from fierce GOP criticism](#)
- **Fox News:** [Free speech concerns mount over DHS 'disinformation' board as lawmakers, critics weigh in](#)

Thank you.

From: (b)(6) (b)(6)
Sent: Monday, May 2, 2022 8:14 PM
To: WATERS, ERIN (b)(6)
Cc: ESPINOSA, MARSHA (b)(6) ULLOA, ISABELLA
 (b)(6) SEIDMAN, RICKI (b)(6) (b)(6)
 (b)(6) MAYER, JASON (b)(6) (b)(6) (b)(6)
 (b)(6)

Subject: Re: Flagging: new fact sheet

Please send us any press on this. Let me know when the briefing will be. Happy to engage on this.

(b)(6) (b)(6)

(b)(6) (b)(6)

From: WATERS, ERIN (b)(6)
Sent: Monday, May 2, 2022 7:47:27 PM
To: (b)(6) (b)(6) (b)(6)
Cc: ESPINOSA, MARSHA (b)(6) ULLOA, ISABELLA
(b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6)
(b)(6) MAYER, JASON (b)(6) (b)(6) (b)(6)
(b)(6)
Subject: RE: Flagging: new fact sheet

Thank you, Sir! Please let us know if there's anything else we can provide.

We moved the press call to later this evening, time pending, and I'll make sure (b)(6) has the information.

From: (b)(6) (b)(6) (b)(6)
Sent: Monday, May 2, 2022 7:37 PM
To: WATERS, ERIN (b)(6)
Cc: ESPINOSA, MARSHA (b)(6) ULLOA, ISABELLA
(b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6)
(b)(6) MAYER, JASON (b)(6) (b)(6) (b)(6)
(b)(6)
Subject: Re: Flagging: new fact sheet

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Good. You can loop in (b)(6) (b)(6) copied above. She coordinates our press.

(b)(6) (b)(6)
(b)(6) (b)(6)

From: WATERS, ERIN (b)(6)
Sent: Monday, May 2, 2022 5:13 PM
To: (b)(6) (b)(6) (b)(6)
Cc: ESPINOSA, MARSHA (b)(6) ULLOA, ISABELLA
(b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6)
(b)(6) MAYER, JASON (b)(6)
Subject: Flagging: new fact sheet

Hi Secretary:

Please see the new fact sheet linked here: [Fact Sheet: DHS Internal Working Group Protects Free Speech Other Fundamental Rights When Addressing Disinformation That Threatens the Security of the United States | Homeland Security](#)

We are working to set up a briefing call in the next few hours or tomorrow. I will circle back with times for that conversation.

We are doing a press call at 5:15 – if a member of your team would like to listen in, I’m happy to provide the call info.

Thank you,
Erin

Erin Waters
Deputy Assistant Secretary (A), Public Affairs
U.S. Department of Homeland Security
Mobile: (b)(6)

Sender:	WATERS, ERIN (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	(b)(6) (b)(6) (b)(6) ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) MAYER, JASON (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/02 20:40:44
Delivered Date:	2022/05/02 20:40:00

Fact Sheet: DHS Internal Working Group Protects Free Speech and Other Fundamental Rights When Addressing Disinformation That Threatens the Security of the United States

The U.S. Department of Homeland Security is charged with safeguarding the United States against threats to its security, including threats exacerbated by disinformation.

Disinformation, which is false information that is deliberately spread with the intent to deceive or mislead, can take many forms. When it comes to DHS's work, the Department is focused on disinformation that threatens the security of the American people, including disinformation spread by foreign states such as Russia, China, and Iran, or other adversaries such as transnational criminal organizations and human smuggling organizations. Such malicious actors often spread disinformation to exploit vulnerable individuals and the American public, including during national emergencies.

For nearly 10 years, different agencies across DHS have worked to address disinformation that threatens our homeland security. Here are some examples:

- U.S. Customs and Border Protection (CBP) counters disinformation that cartels and human smugglers spread to migrants to persuade them to cross our southwest border illegally. CBP's work includes its "Say No to the Coyote" campaign, making clear that entering the United States illegally is a crime.
- In 2012, during Hurricane Sandy, the Federal Emergency Management Agency (FEMA) corrected false information about the safety of drinking water and the location of shelters, to protect and serve the hurricane's victims. FEMA has since built capacity to identify and respond to false information during major disaster responses, including Hurricanes Maria and Ida, during which FEMA provided critical information to protect disaster survivors from targeted scams. FEMA also ensures that disinformation campaigns do not prevent Americans from accessing federal aid during and after disasters.
- The Cybersecurity and Infrastructure Security Agency (CISA) works with private sector stakeholders to mitigate the risk of disinformation to U.S. critical infrastructure, work that has continued in light of Russia's invasion of Ukraine.

The Department identifies disinformation that threatens the homeland through publicly available sources, research conducted by academic and other institutions, and information shared by other federal agencies and partners. DHS then shares factual information related to its mission to potentially impacted people and organizations.

The Department is deeply committed to doing all of its work in a way that protects Americans' freedom of speech, civil rights, civil liberties, and privacy. In fact, the Disinformation Governance Board is an internal working group that was established with the explicit goal of ensuring these protections are appropriately incorporated across DHS's disinformation-related work and that rigorous safeguards are in place. The working group also seeks to coordinate the Department's engagements on this subject with other federal agencies and a diverse range of external stakeholders. The working group does not have any operational authority or capability.

There has been confusion about the working group, its role, and its activities. The reaction to this working group has prompted DHS to assess what steps we should take to build the trust needed for the Department to be effective in this space. As a result, we will be taking the following additional steps:

- Under Secretary Mayorkas's leadership, the Department has renewed its commitment to transparency and openness with the public and Congress. DHS will proactively release comprehensive quarterly reports about the working group's activities to Congress, including its oversight committees.
- Secretary Mayorkas will request that the bipartisan Homeland Security Advisory Council (HSAC) make recommendations for how the Department can most effectively and appropriately address disinformation that poses a threat to the homeland, while protecting free speech and other fundamental rights, and that HSAC Co-Chair Jamie Gorelick and HSAC Member Michael Chertoff lead this effort. Ms. Gorelick is a former U.S. Deputy Attorney General and Mr. Chertoff was Secretary of Homeland Security during President George W. Bush's Administration.
- At Secretary Mayorkas's request, DHS is exploring additional ways to enhance the public's trust in this important work.

The working group is co-chaired by the DHS Office of Policy and Office of the General Counsel, and includes other DHS leaders from CISA, FEMA, CBP, the Office for Civil Rights and Civil Liberties, Office of Intelligence and Analysis, Science and Technology Directorate, and Privacy Office.

###

FINAL / DO NOT EDIT

From:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	DASKAL, JENNIFER (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	Re: Press Roundup for MON, 5/2
Date:	2022/05/03 07:35:57
Priority:	Normal
Type:	Note

Absolutely

From: DASKAL, JENNIFER (b)(6)
Sent: Monday, May 2, 2022 11:39:27 PM
To: ESPINOSA, MARSHA (b)(6)
Subject: Fwd: Press Roundup for MON, 5/2

Hi Marsha,

If there is a pre-background call with S1 on the DSG, would love to join. Definitely don't want to say anything that is inconsistent with his preferred message!

Thank you!

Jen

From: ULLOA, ISABELLA (b)(6)
Sent: Monday, May 2, 2022 11:29:47 PM
To: FOX, ALEXANDRA (b)(6) ESPINOSA, MARSHA
(b)(6) DASKAL, JENNIFER (b)(6)
Cc: CANEGALLO, KRISTIE (b)(6) REZMOVIC, JEFFREY
(b)(6) SEIDMAN, RICKI (b)(6) MEYER, JONATHAN
(b)(6) PECK, SARAH (b)(6)
Subject: Re: Press Roundup for MON, 5/2

Plus Jen.

From: FOX, ALEXANDRA (b)(6)
Sent: Monday, May 2, 2022 10:51:12 PM
To: ESPINOSA, MARSHA (b)(6)
Cc: CANEGALLO, KRISTIE (b)(6) REZMOVIC, JEFFREY
(b)(6) ULLOA, ISABELLA (b)(6) SEIDMAN, RICKI
(b)(6) MEYER, JONATHAN (b)(6) PECK, SARAH
(b)(6)
Subject: Re: Press Roundup for MON, 5/2

Sorry for the delay! He can likely call from the car a little after 9am. Should we wait to see when the background call lands or will that likely develop quickly when approved tomorrow?

From: ESPINOSA, MARSHA (b)(6)
Sent: Monday, May 2, 2022 10:22 PM
Cc: CANEGALLO, KRISTIE (b)(6) REZMOVIC, JEFFREY

(b)(6) ULLOA, ISABELLA (b)(6) SEIDMAN,
RICKI (b)(6) MEYER, JONATHAN (b)(6)
PECK, SARAH (b)(6) FOX, ALEXANDRA (b)(6)
Subject: RE: Press Roundup for MON, 5/2

-S1, + Alex

We still don't have green light to do to the background call, but if we do one, it should be in the morning. Is there a morning time that works to connect with S1 on this?

From: Mayorkas, Alejandro (b)(6)
Sent: Monday, May 2, 2022 10:20 PM
To: ESPINOSA, MARSHA (b)(6)
Cc: CANEGALLO, KRISTIE (b)(6) REZMOVIC, JEFFREY
(b)(6) ULLOA, ISABELLA (b)(6) SEIDMAN, RICKI
(b)(6) MEYER, JONATHAN (b)(6) PECK, SARAH
(b)(6)
Subject: Re: Press Roundup for MON, 5/2

Smaller group so as not to burden many. I would like to confer before the DGB background call. Thank you.

Alejandro N. Mayorkas
Secretary

From: ESPINOSA, MARSHA (b)(6)
Sent: Monday, May 2, 2022 9:45 PM
To: Mayorkas, Alejandro (b)(6)
Cc: Tien, John (b)(6) CANEGALLO, KRISTIE (b)(6)
REZMOVIC, JEFFREY (b)(6) ULLOA, ISABELLA (b)(6)
SEIDMAN, RICKI (b)(6) CALLAHAN, MARY ELLEN
(b)(6) LUGO, ALICE (b)(6) MEYER, JONATHAN
(b)(6) PECK, SARAH (b)(6)
Subject: Press Roundup for MON, 5/2

Good evening, Secretary,

BLUF: (b) (5)

(b) (5)

TODAY

- Several outlets are writing about the Disinfo Governance Board. We were able to post the [fact sheet](#) on the DHS website and will hold a background press call tomorrow. Press coverage has leaned neutral to negative and we expect editorials on this issue.
 - CNN: [Biden administration defends disinformation board from fierce GOP criticism](#)
 - New York Times: [Partisan Fight Breaks Out Over New Disinformation Board](#)
 - New York Post: [The left no longer has any idea what 'neutral' even is](#) (Editorial Board)

- • FOX: Free speech concerns mount over DHS 'disinformation' board as lawmakers, critics weigh in
- • Washington Post: DHS tries to right controversial rollout of its 'disinformation governance board'
- • Washington Post: Opinion: The Disinformation Governance Board is a bad name and a sillier idea (Eugene Robinson)
- • GAO released a report on "Federal Agencies' Use of Open Source Data and Related Threat Products Prior to January 6, 2021." It had no recommendations for DHS.
- • (b) (5)

- • **VICE News: Kids Allege Medical Neglect, Frigid Cells, and Rotten Burritos in Border Detention (Keegan Hamilton)**

One 9-year-old boy described feeling so cold his “bones hurt.” Teenage mothers said they were denied milk, diapers, and medicine for sick babies. A 17-year-old boy reported witnessing other children being tased as punishment. These allegations are just a handful of what’s described in recent complaints obtained by VICE News and filed on behalf of thousands of migrant children detained last year by U.S. Customs and Border Protection, or CBP. The children’s names have been withheld in the complaints because they fear retaliation for speaking out. The complaints, detailed here for the first time since being filed on April 6, allege migrant children in CBP custody are routinely denied medical care, served rotten or inedible food, and abused verbally and physically. The complaints also allege CBP routinely violates a court order that’s supposed to limit a kid’s time in CBP custody to 72 hours; instead they’re subjected to prolonged stays in frigid holding cells known as hieleras or ice boxes. The Biden administration has said it’s preparing for another wave of migration with the pending rollback of Title 42, a Trump-era policy that has enabled border agents to turn away nearly everyone except unaccompanied children. While officials claim conditions are improving, the complaints paint a grim picture of what awaits those who attempt to cross, especially young people. “We expect now that Title 42 is going away, this is just going to worsen,” said Carson Scott, an attorney with Immigrant Defenders Law Center. “Advocates have consistently been sounding the alarm bells. When we have waves of more children crossing the border, conditions get even worse.”

- • (b) (5)

- • **Project Veritas: BREAKING: Source Inside the Federal Government Reveals Suspected and Known Terrorists Walk Freely in the United States Following Biden Administration's Pullout in Afghanistan**

TOMORROW

(b) (5)

(b) (5)

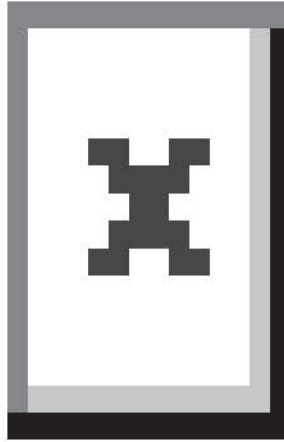
UPCOMING NATIONAL STORIES

(b) (5)

NOTABLE CLIPS

Reuters: [U.S.' Blinken, Mayorkas to meet Tuesday with Mexico foreign minister](#)

U.S. Secretary of State Antony Blinken and Secretary of Homeland Security Alejandro Mayorkas will meet Tuesday with Mexico's Foreign Minister Marcelo Ebrard, the Mexican official said in a tweet Monday afternoon. Ebrard also said he will have a meeting to discuss investments in Central America and Mexico's southern region.



Washington Post: DHS tries to right controversial rollout of its ‘disinformation governance board’
(Cristiano Lima)

According to Homeland Security Secretary Alejandro Mayorkas, there’s a lot of misinformation out there about the department’s newly launched “Disinformation Governance Board.” Since DHS announced the ominously named initiative last week, it has offered few details about the scope of its work and powers. Amid that informational void, Republicans and some civil society groups have bashed the effort as a potential vehicle for government censorship and a threat to free speech. House Minority Leader Kevin McCarthy (R-Calif.) likened the group to the fictional “Ministry of Truth” propaganda agency from George Orwell’s dystopian novel “1984.” During a pair of television interviews on Sunday, Mayorkas cast those concerns as misplaced but said DHS should have defined the board’s role more clearly. “Those criticisms are precisely the opposite of what this small working group within the Department of Homeland Security will do,” Mayorkas told CNN. “I think we probably could have done a better job of communicating what it does and does not do.” Mayorkas said that part of the group’s mandate is “to ensure that the way in which we address threats ... [occurs without] infringing on free speech, protecting civil rights and civil liberties, the right of privacy.” The agency initially said the board would focus on countering disinformation coming from Russia ahead of the midterm elections and from human smugglers targeting migrants on the U.S.-Mexico border. But it said relatively little about what exact function it would serve, and its critics on the right seized on the board’s broad-sounding name to suggest something more nefarious was afoot.

Washington Post: Opinion: The Disinformation Governance Board is a bad name and a sillier idea (Eugene Robinson)

Nothing is more important to the future of our democracy than the fight against disinformation. But a new Department of Homeland Security unit — ominously called the Disinformation Governance Board — is not helping. To the contrary, it only promises to provide aid and comfort to the enemies of truth. DHS Secretary Alejandro Mayorkas should pull the plug on the new board. Like, yesterday. And never speak of it again. The problems begin with the worst name I've ever heard the federal government come up with, and that's saying something. Disinformation Governance Board? To call the unit's name Orwellian is an insult to George Orwell, who was a masterful prose stylist and who wrote a famous essay, "Politics and the English Language," railing against sins such as "staleness of imagery" and "lack of precision." I can see how disinformation requires monitoring. I can see how it requires fact-checking and refutation. But governance? How do you govern lies? Beyond the issue of the name is the still-mystifying question about what the board is supposed to do. At congressional hearings this past week, Mayorkas veered from pitching it as an effort to counteract Russian-style meddling in our elections to portraying it as an effort to protect Spanish-speaking migrants from lies told by the criminals who smuggle them into the country. He failed to make clear exactly how the board was supposed to accomplish either of these tasks. "I think we probably could have done a better job of communicating what it does and does not do," Mayorkas said Sunday on CNN.

The Hill: White House pledges DHS disinfo board will be 'nonpartisan and apolitical' (Morgan Chalfant)

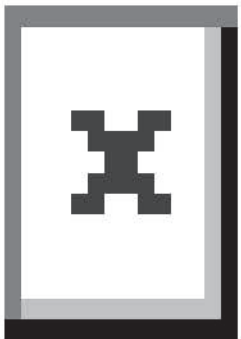
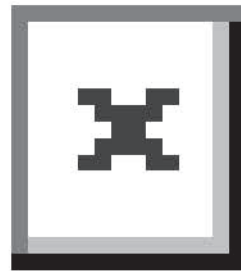
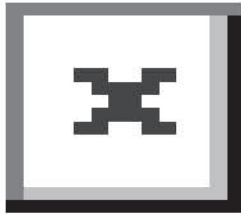
White House press secretary Jen Psaki said Monday that a board on disinformation recently convened by the Department of Homeland Security will operate "in a nonpartisan and apolitical manner." "The mandate is not to adjudicate what is true or false online or otherwise," Psaki told reporters during a briefing. "It will operate in a nonpartisan and apolitical manner. It's basically meant to coordinate a lot of the ongoing work that is happening ... and the focus is on disinformation and threats to the homeland." Psaki said that the board would address disinformation related to threats such as violent extremism, human trafficking and malign foreign influence. She also noted — as she did last week — that the work of the board started under former President Trump's administration in 2020. Republicans have attacked the board since its creation was disclosed last week, comparing the effort to the "Ministry of Truth" depicted in George Orwell's dystopian novel "1984." Some have also zeroed in on the board's executive director, Nina Jankowicz, suggesting that she can't be neutral because of tweets that she sent in 2020 regarding a New York Post story about a laptop purportedly belonging to President Biden's son Hunter Biden. Jankowicz, an expert in disinformation and eastern Europe, at the time amplified the opinion of national security experts that the laptop was part of a Russian influence operation. Publications including The Washington Post have since verified content on the laptop. Conservatives have also mocked Jankowicz over a TikTok video she made about disinformation. Psaki and other Biden officials have defended Jankowicz, describing her as highly qualified to lead the new Disinformation Governance Board.

CNN: Biden administration defends disinformation board from fierce GOP criticism (Priscilla Alvarez and Sean Lyngaas)

The Department of Homeland Security and the White House are defending a new initiative to help target disinformation amid fierce criticism from Republicans who cast the effort as overreach and attacked its leader. Last week, DHS announced an interagency team, dubbed the "Disinformation Governance Board," to coordinate department activities related to disinformation aimed at the US population and infrastructure. Nina Jankowicz, a disinformation expert with experience working on

Ukraine and Russia issues, was tapped to helm the board, along with two senior DHS officials, including acting Principal Deputy General Counsel Jen Daskal. [...] In a fact sheet released Monday afternoon, DHS said Mayorkas has asked department officials to enhance the public's trust in the group. Mayorkas has also asked the bipartisan Homeland Security Advisory Council to recommend ways DHS can address disinformation while "protecting free speech and other fundamental rights," according to the fact sheet. Jamie Gorelick -- the council's co-chair and a former US deputy attorney general -- will lead the effort along with Michael Chertoff, a member of the council who was secretary of Homeland Security under President George W. Bush.

SOCIAL MEDIA



Sender:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	DASKAL, JENNIFER (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/03 07:35:54
Delivered Date:	2022/05/03 07:35:57

From:	(b)(6) (b)(6) (b)(6)
	Fernandez, Angelo (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
	PECK, SARAH (b)(6) (b)(6) (b)(6)
	(b)(6)
To:	(b)(6)
	Media Inquiry (b)(6) (b)(6) (b)(6)
	(b)(6) Inqui
	(b)(6)
	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
CC:	(b)(6) (b)(6)
Subject:	Re: Disinfo board questions
Date:	2022/05/03 12:03:35
Priority:	Normal
Type:	Note

Thanks for sending the fact sheet. We will note it in our story. Unfortunately, it doesn't answer any of the questions we sent.

Just bumping remaining questions:

- Does the board only focus on disinformation, or does its remit include DHS's broader work involving online communication? Eg, threats ("I'm going to blow up the Capitol building") wouldn't be considered disinformation. Does the board look at that kind of communication too?
- Whose idea was the board?
- When did Mayorkas greenlight its creation?
- Did the White House have a role in the creation of the board?
- Did anyone foresee political backlash to the board?
- How many people are on the board, and who?
- Does the board have any full- or part-time staffers besides Nina?
- How regularly does the board convene?
- Whose idea was it to call it the Disinformation Governance Board, and when was it named that (eg, did it have that name when Mayorkas greenlit it)?
- Can you tell us more about the decision to hire Nina to run this board?

-My understanding is that senior DHS officials go through a rigorous vetting process before onboarding that includes scrutiny of all their relevant public comments. Did Nina go through this process?

-When was her start date? I ask because she did an NPR interview on her book on April 16, and didn't disclose a DHS affiliation. Is that because her start date was after April 16?

<https://www.npr.org/2022/04/16/1093212502/women-face-disproportionate-attacks-online-one-expert-shares-some-of-the-details>

Thank you!

(b)(6) (b)(6) (b)(6)

Politico National Correspondent

Mobile, Signal, and Whatsapp: (b)(6)

From: Fernandez, Angelo (b)(6)

Sent: Monday, May 2, 2022 5:20 PM

To: (b)(6) (b)(6) (b)(6) PECK, SARAH (b)(6) Media Inquiry (b)(6) ESPINOSA, MARSHA (b)(6)

Cc: (b)(6) (b)(6) (b)(6)

Subject: RE: Disinfo board questions

EXTERNAL SENDER: Use caution with links and attachments.

Hi,

Thanks for reaching out – sharing the link to our fact sheet: [Fact Sheet: DHS Internal Working \(b\)\(6\) Protects Free Speech Other Fundamental Rights When Addressing Disinformation That Threatens the Security of the United States | Homeland Security](#)

Best,
Angelo

From: (b)(6) (b)(6) (b)(6)

Sent: Monday, May 2, 2022 12:15 PM

To: PECK, SARAH (b)(6) Media Inquiry (b)(6) ESPINOSA, MARSHA (b)(6)

Cc: (b)(6) (b)(6) (b)(6)

Subject: Disinfo board questions

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Hi guys,

(b)(6) (cc'd) and I are working on a piece laying out the origins of the Disinformation Governance Board. Here are some questions for you all:

-Does the board only focus on disinformation, or does its remit include DHS's broader work involving online communication? Eg, threats ("I'm going to blow up the Capitol building")

wouldn't be considered disinformation. Does the board look at that kind of communication too?

-Whose idea was the board?

-When did Mayorkas greenlight its creation?

-Did the White House have a role in the creation of the board?

-Did anyone foresee political backlash to the board?

-How many people are on the board, and who?

-Does the board have any full- or part-time staffers besides Nina?

-How regularly does the board convene?

-Whose idea was it to call it the Disinformation Governance Board, and when was it named that (eg, did it have that name when Mayorkas greenlit it)?

Our deadline is 5pET today. Thanks so much!

Best,

(b)(6) (b)(6) (b)(6)

Politico National Correspondent

Mobile, Signal, and Whatsapp: (b)(6)

Sender: (b)(6) (b)(6) (b)(6)

Fernandez, Angelo (b)(6) (b)(6) (b)(6)

(b)(6)

PECK, SARAH (b)(6) (b)(6) (b)(6)

(b)(6)

(b)(6)

Recipient: Media Inquiry (b)(6) (b)(6) (b)(6)

(b)(6)

ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6)

(b)(6)

(b)(6)

(b)(6) (b)(6)

Sent Date: 2022/05/03 12:03:27

Delivered Date: 2022/05/03 12:03:35

From:	Media Inquiry (b)(6) (b)(6) (b)(6) (b)(6)
To:	Fernandez, Angelo (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	FW: Follow-up question -- Psaki Friday statements
Date:	2022/05/03 13:17:55
Priority:	Normal
Type:	Note

Flagging this follow up

From: (b)(6) (b)(6) (b)(6)
Sent: Tuesday, May 3, 2022 1:07 PM
To: Media Inquiry (b)(6)
Subject: Re: Follow-up question -- Psaki Friday statements

Is there a specific CISA program that started in 2020 that you're referring to?

On Tue, May 3, 2022 at 12:49 PM Media Inquiry (b)(6)
Here you go:

On background: As Jen Psaki noted, for years and throughout multiple Administrations, agencies across DHS have worked to address disinformation that threatens our homeland security. This includes CISA’s work in 2020 and CBP’s work to counter disinformation that cartels and human smugglers spread to migrants to persuade them to cross our southwest border illegally. The Department is deeply committed to doing all of its work in a way that protects Americans’ freedom of speech, civil rights, civil liberties, and privacy. The Disinformation Governance Board is an internal working group that was established with the explicit goal of ensuring these protections are appropriately incorporated across DHS’s disinformation-related work and that rigorous safeguards are in place. The working group does not have any operational authority or capability, but instead supports the work of the components, helping to ensure that all of the Departments work is done consistent with robust protections for speech, civil rights, civil liberties, and privacy.

Examples include:

- U.S. Customs and Border Protection (CBP) counters disinformation that cartels and human smugglers spread to migrants to persuade them to cross our southwest border illegally. CBP’s work includes its “Say No to the Coyote” campaign, making clear that entering the United States illegally is a crime.
- In 2012, during Hurricane Sandy, the Federal Emergency Management Agency (FEMA) corrected false information about the safety of drinking water and the location of shelters, to protect and serve the hurricane’s victims. FEMA has since built capacity to identify and respond

to false information during major disaster responses, including Hurricanes Maria and Ida, during which FEMA provided critical information to protect disaster survivors from targeted scams. FEMA also ensures that disinformation campaigns do not prevent Americans from accessing federal aid during and after disasters.

- The Cybersecurity and Infrastructure Security Agency (CISA) works with private sector stakeholders to mitigate the risk of disinformation to U.S. critical infrastructure, work that has continued in light of Russia's invasion of Ukraine.

From: (b)(6) (b)(6) (b)(6)
Sent: Tuesday, May 3, 2022 12:17 PM
To: Media Inquiry (b)(6)
Subject: Re: Follow-up question -- Psaki Friday statements

Sure. I have not filed yet.

On Tue, May 3, 2022 at 12:12 PM Media Inquiry (b)(6)
Hi (b)(6) – Could we have a slight extension on your deadline? We will respond to your inquiry shortly.

From: (b)(6) (b)(6) (b)(6)
Sent: Tuesday, May 3, 2022 9:46 AM
To: Media Inquiry (b)(6)
Subject: Re: Follow-up question -- Psaki Friday statements

Thank you, this information is helpful.

However, it does not answer the questions I asked:

What was the 2020 DHS effort mentioned by White House Press Secretary Jen Psaki called?

Who led it?

What was its mission, and did it differ at all from the new Disinformation Governance Board?

A few different agencies and dates are mentioned in this fact sheet, but none of them date to 2020.

One statement from the fact sheet raises an additional question: *"When it comes to DHS's work, the Department is focused on disinformation that threatens the security of the American people, including disinformation spread by foreign states such as Russia, China, and Iran, or other adversaries such as transnational criminal organizations and human smuggling organizations."*

Since this mentions foreign states, how does the DHS disinformation board differ from the State Department's [Global Engagement Center](#)?

Thanks again,

(b)(6) (b)(6)
Washington Examiner
(b)(6)

On Mon, May 2, 2022 at 5:17 PM Media Inquiry (b)(6)

Hi,

Thanks for reaching out – here is the link to our fact sheet: [Fact Sheet: DHS Internal Working Group Protects Free Speech Other Fundamental Rights When Addressing Disinformation That Threatens the Security of the United States | Homeland Security](#)

Best,
Angelo

From: (b)(6) (b)(6) (b)(6)

Sent: Monday, May 2, 2022 10:45 AM

To: Media Inquiry (b)(6) CISA Media (b)(6)
(b)(6)

Subject: Follow-up question -- Psaki Friday statements

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Hi,

My name is (b)(6) (b)(6) I'm a White House reporter with the Washington Examiner. I'm following up on some statements Press Secretary Jen Psaki made on Friday.

Psaki said the DHS Disinformation Governance Board is the continuation of an effort that began under former President Donald Trump. Her words:

"What I will tell you about the board and what the board is doing: This is a continuation of work that began at the Department of Homeland Security in 2020 under former President Trump."

And later:

"Well, here's what the board is going to do, which I think is of particular interest -- again, a continuation of the work of the former President. So for anyone who's critical of it, I didn't hear them being critical of the work under the former President, which is just interesting to note contextually."

Are you able to provide more details into exactly what 2020 effort Psaki is referring to? I'm not seeing much about it on the DHS website or other sources.

What was the 2020 effort called?

Who led it?

What was its mission, and did it differ at all from the new Disinformation Governance Board?

Again, just looking for more information about the 2020 DHS effort Psaki mentioned on Friday. Thank you!

--
(b)(6) (b)(6)

Washington Examiner

(b)(6)

Sender:	Media Inquirv (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	Fernandez, Angelo (b)(6) (b)(6) (b)(6) (b)(6) PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/03 13:17:54
Delivered Date:	2022/05/03 13:17:55

From:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6)
To:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	FW: Re: Media Inquiry PolitiFact - Disinformation Governance Board
Date:	2022/05/03 14:01:00
Priority:	Normal
Type:	Note

Marsha – I think we should (b)(5)
(b)(5)

From: (b)(6) (b)(6) (b)(6) (b)(6)
Sent: Tuesday, May 3, 2022 1:59 PM
To: PECK, SARAH (b)(6)
Subject: Re: Re: Media Inquiry PolitiFact - Disinformation Governance Board

Hi Sarah and Angelo,

Would you all be able to provide any additional information about what it means that the board has no "operational authority" and who the "operators" the group will be communicating best practices to are?

Thank you,
(b)(6)

On Tue, May 3, 2022 at 10:41 AM (b)(6) (b)(6) (b)(6) (b)(6)
Hi Sarah,

Thank you for this!

Best,
(b)(6)

On Tue, May 3, 2022 at 9:30 AM PECK, SARAH (b)(6)
Hi (b)(6) – Here is a fact sheet that should help with your fact check:
<https://www.dhs.gov/news/2022/05/02/fact-sheet-dhs-internal-working-group-protects-free-speech-other-fundamental-rights>

Please let us know if there is anything additional we can help with.

From: PECK, SARAH
Sent: Monday, May 2, 2022 11:46 AM

To: (b)(6)
Cc: Fernandez, Angelo (b)(6)
Subject: Re: Media Inquiry PolitiFact - Disinformation Governance Board

Hi (b)(6) – It was good to speak with you. Here are the transcripts of Secretary Mayorkas's interviews yesterday:

FOX NEWS SUNDAY:

Bret Baier: Okay, speaking of misinformation, this week, we learned the DHS' Disinformation Governance Board was coming out and we saw immediate concerns about free speech. Do you understand some of this pushback?

Secretary Mayorkas: Oh, there's no question, Bret, that we could have done a better job in communicating what it does. And let me share with you what this Department of Homeland Security does and has been doing years throughout the past administration included. We address disinformation that presents a security threat to the homeland, disinformation from Russia, from China, from Iran, from the cartels. I'll give you a real-life example, the cartels spread disinformation that Title 42 does not apply to the Haitians. And that prompts, potentially, Haitians to try to come to the United States. And what do we do? U.S. Customs and Border Protection, phenomenal enforcement agency, goes on Creole language stations and communicates that Title 42 does apply to Haitians.

Bret Baier: So it sounds a little bit like the Global Engagement Center at the State Department. It's a little redundant. But here's the problem.

Secretary Mayorkas: Bret, I really need to clarify. This is a this is a working group that takes best practices to make sure that in addressing disinformation that presents a threat to the homeland, does our work, does not infringe on free speech. Does not infringe on civil rights, civil liberties. It's not about speech. It's about the connectivity to violence. That is what we need to address, you know, an individual has the free speech right to spew anti-Semitic rhetoric, what they don't have the right to do is take hostages in a synagogue. And that's where we get involved.

Bret Baier: So the President's pick to lead this is Nina Jankowicz, which she's taking heat for tweets and comments about major news stories, the Hunter Biden laptop, others. The laptop story obviously was blocked from social media outlets because it was called Russian propaganda. Until it wasn't. So do you really think that Jankowicz is anywhere near objective enough for this particular job?

Secretary Mayorkas: Yes, I do. And, by the way, highly regarded as a subject matter expert, and I don't question her objectivity. There are people in the Department who have a diverse range of views, and they're incredibly dedicated to mission. We're not the opinion police. She has testified before Congress a number of times, she's recognized as a tremendous authority, and we're very fortunate to have her.

CNN SOTU:

Dana Bash: Let's talk about a different topic, which is what you are calling, your Department is calling, the Disinformation Governance Board. You unveiled that this week, Republicans are calling it Orwellian, and comparing it to the Ministry of Truth in the novel 1984. Can you clarify what exactly is this? What exactly will this Disinformation Governance Board do, will it monitor American citizens?

Secretary Mayorkas: Dana, I'm very pleased to do so. It's clear that those criticisms are precisely the opposite of what this small working group within the Department of Homeland Security will do. And I think we probably could have done a better job of communicating what it does and does not do. And the fact is that disinformation that creates a threat to the security of the homeland is our responsibility to address and this department has been addressing it for years, throughout the years of the prior administration, on an ongoing basis. Disinformation from Russia, China...

Dana Bash: We know the problems, but it's still not clear to me how this governance board will act and what would do?

Secretary Mayorkas: So, what it does is it works to ensure that the way in which we address threats, the connectivity between threats and acts of violence, are addressed without infringing on free speech, protecting civil rights and civil liberties, the right of privacy. And the board, this working group, internal working group, will draw from best practices and communicate those best practices to the operators because the board does not have operational authority.

Dana Bash: Will American citizens be monitored?

Secretary Mayorkas: No.

Dana Bash: Guarantee that?

Secretary Mayorkas: So, what we do, we in the Department of Homeland Security don't monitor American citizens.

Dana Bash: You don't but will this board change that?

Secretary Mayorkas: No, no, the board does not have any operational authority or capability. What it will do is gather together best practices in addressing the threat of disinformation from foreign state adversaries, from the cartels, and disseminate those best practices to the operators that have been executing in addressing this threat for years.

Dana Bash: Republicans are criticizing your decision, the administration's decision, to choose Nina Jankowicz to lead this disinformation board. They say she's not somebody who is neutral, your response.

Secretary Mayorkas: Eminently qualified, a renowned expert in the field of disinformation.

Dana Bash: And neutral?

Secretary Mayorkas: Absolutely so.

NBC MEET THE PRESS:

CHUCK TODD

I want to ask you about another concept. There is some concern of misinformation and disinformation, a Department that you have in DHS. There's some people who look at it and it looks like policing of speech. Can you explain what this program is about?

SECRETARY MAYORKAS

Sure, so we set up, essentially, an internal working group and I must say that we could have done a better job of communicating what it is and what it isn't. It's a working group that takes best practices with respect to our work that has been going on for years. Best practices on how to do that work, the work of addressing disinformation that presents a threat to the security of our country. How to do that work in a way that does not infringe on free speech, does not infringe on civil liberties. So this working group takes best practices and disseminates those best practices, disseminates it to the operators.

CHUCK TODD

Do you think the person you chose to head of it expressed too much politics on their Twitter feed and its caused some consternation?

SECRETARY MAYORKAS

Eminently qualified individual, recognized expert on battling the threat of disinformation that presents a threat to the security of homeland from Russia, from China, from Iran, from the cartels.

From: (b)(6) (b)(6) (b)(6) (b)(6)

Sent: Friday, April 29, 2022 12:19 PM

To: Media Inquiry (b)(6)

Subject: Re: Media Inquiry PolitiFact - Disinformation Governance Board

Hi Angelo,

Thank you for getting back to me. If you could provide information to me by Monday May 1 at 1p.m. that would be great. In the meantime, are there any links to documents you could direct me to with additional information?

Best,

(b)(6)

On Fri, Apr 29, 2022 at 12:07 PM Media Inquiry (b)(6)

Hi (b)(6)

Thanks for reaching out and apologies for the delay – what’s the deadline for the piece you are working on?

Best,

Angelo

From: (b)(6) (b)(6) (b)(6) (b)(6)

Sent: Friday, April 29, 2022 11:05 AM

To: Media Inquiry (b)(6)

Subject: Re: Media Inquiry PolitiFact - Disinformation Governance Board

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Good morning,

I wanted to follow up on my request from yesterday. Could you please provide any updates or additional information on the Disinformation Governance Board?

Thanks,

(b)(6)

On Thu, Apr 28, 2022 at 1:52 PM (b)(6) (b)(6) (b)(6) (b)(6)

To whom this may concern,

My name is (b)(6) (b)(6) (b)(6) and I'm a reporter with PolitiFact. We're working on a piece about the newly announced Disinformation Governance Board.

Could you please provide additional information on this new Board regarding its establishment and purpose?

Thank you,

(b)(6)

--

(b)(6) (b)(6) (b)(6)

Immigration Reporter |  Image removed by sender.

(b)(6)

(b)(6)

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(b)(6) (b)(6) (b)(6)

Immigration Reporter |  Image removed by sender.

(b)(6) (b)(6)

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(b)(6) (b)(6) (b)(6)

Immigration Reporter |  Image removed by sender.

(b)(6) (b)(6)

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(b)(6) (b)(6) (b)(6)

Immigration Reporter |  Image removed by sender.

(b)(6) (b)(6)

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(b)(6) (b)(6) (b)(6)

Immigration Reporter |  Image removed by sender.

(b)(6) (b)(6)

Sender:	PECK, SARAH (b)(6) (b)(6) (b)(6)
Recipient:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/03 14:01:37
Delivered Date:	2022/05/03 14:01:00

From:	HIMMEL, CHLOE (b)(6)
To:	LUGO, ALICE (b)(6) SHENKLE, ABBY (b)(6) CARNES, ALEXANDRA (b)(6) ESPINOSA, MARSHA (b)(6) PECK, SARAH (b)(6) SEIDMAN, RICKI (b)(6) WATERS, ERIN (b)(6)
Date:	2022/05/03 14:08:50
Priority:	Normal
Type:	SkypeTeams.Message

This is what I have. This work?

(b)(5)

Sender:	HIMMEL, CHLOE (b)(6)
Recipient:	LUGO, ALICE (b)(6) SHENKLE, ABBY (b)(6) CARNES, ALEXANDRA (b)(6) ESPINOSA, MARSHA (b)(6) PECK, SARAH (b)(6) SEIDMAN, RICKI (b)(6) WATERS, ERIN (b)(6)
Sent Date:	2022/05/03 14:08:50

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(b)(5)



Page 248

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 249

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 250

Withheld pursuant to exemption

(b)(5)

(b)(6)

of the Freedom of Information and Privacy Act

Page 251

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 252

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

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Global Security – Actors, Opportunities, Crises
German Federal Academy for Security Policy (BAKS)
Wednesday, May 4, 2022 | 4:00 – 5:00 PM EDT

Discussion Points:

(b)(5)



1

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of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

Page 256

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 257

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6)
To:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	Fernandez, Angelo (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	FW: CNN request - anti-disinfo effort
Date:	2022/05/04 09:45:00
Priority:	Normal
Type:	Note

FYI

From: (b)(6) (b)(6) (b)(6)
Sent: Wednesday, May 4, 2022 9:42 AM
To: PECK, SARAH (b)(6) Media Inquiry (b)(6)
Cc: Fernandez, Angelo (b)(6)
Subject: RE: CNN request - anti-disinfo effort

Sarah, I decided not to write something at this point. It's a hard one to approach from a fact check perspective – there are lots of claims about what the board will be, and many of them appear wildly overblown, but it's hard to fact check claims about the future.

From: PECK, SARAH (b)(6)
Sent: Tuesday, May 3, 2022 9:30 AM
To: Media Inquiry (b)(6) (b)(6) (b)(6) (b)(6)
Cc: Fernandez, Angelo (b)(6)
Subject: RE: CNN request - anti-disinfo effort

EXTERNAL SENDER: Caution opening links or attachments

Hi (b)(6) – Here is a fact sheet we released yesterday: <https://www.dhs.gov/news/2022/05/02/fact-sheet-dhs-internal-working-group-protects-free-speech-other-fundamental-rights>

Are you still working on the fact check? Thanks!

From: PECK, SARAH
Sent: Friday, April 29, 2022 3:42 PM
To: Media Inquiry (b)(6) (b)(6) (b)(6) (b)(6)
Cc: Fernandez, Angelo (b)(6)
Subject: RE: CNN request - anti-disinfo effort

(b)(6) – Here is a statement for your fact check:

DHS spokesperson: "DHS began its work on disinformation several years ago. The Department has created the Disinformation Governance Board to ensure this work does not infringe on the fundamental right of free speech and to further protect privacy, civil rights, and civil liberties. To provide this protection, the Board will coordinate the Department's internal activities related to disinformation that poses a threat to homeland security."

We would also be glad to provide this quote from a senior Administration official:

"Ironically, this Board is designed to protect the freedom of speech that critics are falsely claiming it is attempting to trample."

From: Media Inquiry (b)(6)
Sent: Thursday, April 28, 2022 1:52 PM
To: (b)(6) (b)(6) (b)(6) Media Inquiry (b)(6)
Cc: PECK, SARAH (b)(6)
Subject: RE: CNN request - anti-disinfo effort

Hi (b)(6) – Thank you for reaching out! Looping Sarah Peck.

Thanks,
Ruth

From: (b)(6) (b)(6) (b)(6)
Sent: Thursday, April 28, 2022 1:03 PM
To: Media Inquiry (b)(6)
Subject: CNN request - anti-disinfo effort

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

Hi there, I'm a CNN fact-check reporter in Washington. I'm wondering if you could provide any details on the nature of the anti-disinformation effort DHS is launching. I ask in part because some Republican opponents, such as Sen. Rubio, are describing it as a speech-police office that means DHS is distracted from dropping illegal migration. https://twitter.com/marcorubio/status/1519672533208944640?s=21&t=Y_PfcB7zz5aEKSUTnshJKg

Thank you for your time.

(b)(6) (b)(6)
Reporter
CNN
(b)(6)
Cell: (b)(6)

Sender: PECK, SARAH (b)(6) (b)(6) (b)(6)
(b)(6)

Recipient:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
	Fernandez, Angelo (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
Sent Date:	2022/05/04 09:45:51
Delivered Date:	2022/05/04 09:45:00

From:	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	Kozey, Elizabeth (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) STOKORSKYJ, LUCIAN (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	FAUSETT, ANDREW (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) Fischer, Sebastian (He/Him) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	FW: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board
Date:	2022/05/04 11:59:59
Priority:	Normal
Type:	Note

Hi all,

I regret that we haven't gotten to this yet as we dealt with the S1 testimony prep the past two days. The direction I've gotten from Rob, Jen, and others is to use cleared language from S1 talkers, the fact sheet, etc., to answer these questions, and, as before, to hew as closely as possible to the cleared language, so that is what I've done.

We're to turn around drafts for routing by tomorrow (Thursday), 4pm. Can we aim to get internal drafts done by COB so Sam, Jen, and Rob have some time to feed back before the exec sec process?

If that seems like the incorrect order of events, please let me know.

Letters are here: [Folder icon Disinformation Governance Board Letters](#)

My draft responses are here:

[050422 Hawley Response](#)

[050422 Johnson Response](#)

Thanks all.

N

Nina Jankowicz

Executive Director

Disinformation Governance Board

Office of Strategy, Policy, and Plans

U.S. Department of Homeland Security

C: (b)(6) | O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: (b)(6) (b)(6) (b)(6) **Behalf Of** PLCY EXEC SEC
Sent: Wednesday, May 4, 2022 10:08 AM
To: JANKOWICZ, NINA (b)(6) PLCY-CTTPLE Tasking <PLCY-CTTPLE-(b)(6)>
Cc: PLCY EXEC SEC (b)(6) Sepehri, Reza (b)(6) Gilmer, Chadwick (b)(6)
Subject: RE: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board

Hi Nina and CTTPLE,

Passing on this comment OPE provided regarding these letters:

(b)(5)

Best,

(b)(6) (b)(6)
Executive Secretariat | PLCY
U.S. Department of Homeland Security

From: JANKOWICZ, NINA (b)(6)
Sent: Friday, April 29, 2022 7:11 PM
To: PLCY EXEC SEC (b)(6) PLCY-CTTPLE Tasking <PLCY-CTTPLE-(b)(6)>
Cc: PLCY EXEC SEC (b)(6) Sepehri, Reza (b)(6) Gilmer, Chadwick (b)(6)
Subject: Re: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board

Hi all,

Received. I just spoke with Lucian and we are seeking guidance from the front office, PLCY FO, and OGC on how to proceed with these and whatever other inquiries we may receive on this issue.

Back to you with a plan as soon as we can.

Best
Nina

From: (b)(6) (b)(6) (b)(6) behalf of PLCY EXEC SEC
(b)(6)

Sent: Friday, April 29, 2022 5:16:38 PM

To: PLCY-CTTPLE Tasking (b)(6) JANKOWICZ, NINA
(b)(6)

Cc: PLCY EXEC SEC (b)(6) Sepehri, Reza (b)(6) Gilmer,
Chadwick (b)(6)

Subject: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board

Good afternoon CTTPLE and Nina,

ESEC has assigned PLCY as lead to draft two letters regarding the newly-formed Disinformation Governance Board, one to Senator Hawley (WF 1231591) and the other to Senator Johnson (WF 1231590). We anticipate receiving more letters on this topic (b)(5)

(b)(5)

 [Folder icon Disinformation Governance Board Letters](#)

Once we receive your draft, we will route to Components for review, then back to you for adjudication, then on to PLCY FO and DHS FO review.

We would appreciate receiving the initial draft **by 4pm on Thursday, May 5th**.

Let us know if you have any questions.

Kind regards,

(b)(6) (b)(6)

Correspondence Analyst
Executive Secretariat | PLCY
U.S. Department of Homeland Security

Cell: (b)(6)

(b)(6)

Sender: JANKOWICZ, NINA (b)(6) (b)(6) (b)(6)
(b)(6)

Recipient:	Kozey, Elizabeth (b)(6) (b)(6) (b)(6)
	(b)(6) Eliz
	(b)(6)
	SIKORSKYJ, LUCIAN (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
	FAUSETT, ANDREW (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
	Fischer, Sebastian (He/Him) (b)(6) (b)(6) (b)(6)
(b)(6)	
(b)(6)	
Sent Date:	2022/05/04 11:59:54
Delivered Date:	2022/05/04 11:59:59

From:	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	PLCY EXEC SEC (b)(6) (b)(6) (b)(6) EXEC S (b)(6) PLCY-CTTPLE Tasking (b)(6) (b)(6) (b)(6) (b)(6) <PLCY- (b)(6)
CC:	Sepehri, Reza (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) Gilmer, Chadwick (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	RE: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board
Date:	2022/05/04 12:00:59
Priority:	Normal
Type:	Note

Thanks very much Christine, I've incorporated this into the response to Senator Hawley.

Nina Jankowicz

Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security

C: (b)(6) | O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: BECTEL, CHRISTINE (b)(6) **Behalf Of** PLCY EXEC SEC
Sent: Wednesday, May 4, 2022 10:08 AM
To: JANKOWICZ, NINA (b)(6) PLCY-CTTPLE Tasking <PLCY-CTTPLE-
(b)(6)>
Cc: PLCY EXEC SEC (b)(6) Sepehri, Reza (b)(6) Gilmer,
Chadwick (b)(6)
Subject: RE: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board

Hi Nina and CTTPLE,

Passing on this comment OPE provided regarding these letters:

(b)(5)

(b)(5)

Best,

(b)(6) (b)(6)

Executive Secretariat | PLCY
U.S. Department of Homeland Security

From: JANKOWICZ, NINA (b)(6)
Sent: Friday, April 29, 2022 7:11 PM
To: PLCY EXEC SEC (b)(6) PLCY-CTTPLE Tasking <PLCY-CTTPLE-(b)(6)>
Cc: PLCY EXEC SEC (b)(6) Sepehri, Reza (b)(6) Gilmer, Chadwick (b)(6)
Subject: Re: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board

Hi all,

Received. I just spoke with Lucian and we are seeking guidance from the front office, PLCY FO, and OGC on how to proceed with these and whatever other inquiries we may receive on this issue.

Back to you with a plan as soon as we can.

Best
Nina

From: (b)(6) (b)(6) (b)(6) behalf of PLCY EXEC SEC (b)(6)
Sent: Friday, April 29, 2022 5:16:38 PM
To: PLCY-CTTPLE Tasking (b)(6) JANKOWICZ, NINA (b)(6)
Cc: PLCY EXEC SEC (b)(6) Sepehri, Reza (b)(6) Gilmer, Chadwick (b)(6)
Subject: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board

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(b)(5)

(b)(5)

 Folder icon Disinformation Governance Board Letters

Once we receive your draft, we will route to Components for review, then back to you for adjudication, then on to PLCY FO and DHS FO review.

We would appreciate receiving the initial draft **by 4pm on Thursday, May 5th**.

Let us know if you have any questions.

Kind regards,

(b)(6) (b)(6)

Correspondence Analyst
Executive Secretariat | PLCY
U.S. Department of Homeland Security
Cell: (b)(6)
(b)(6)

Sender:	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	PLCY EXEC SEC (b)(6) (b)(6) (b)(6) EXEC S (b)(6) PLCY-CTTPLE Tasking (b)(6) (b)(6) (b)(6) <PLCY- (b)(6) (b)(6) Sepehri, Reza (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) Gilmer, Chadwick (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/04 12:00:57
Delivered Date:	2022/05/04 12:00:59

From:	MCKINNEY, KRISTIE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6) Plumer, Morgan (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	DELGADO, DANIEL (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	RE: [Reminder: Feedback due 10.am]: Disinfo Gov Board Public Announcement Brief
Date:	2022/05/04 14:55:25
Priority:	Normal
Type:	Note

Much appreciated, Nina!!

Kristie B. McKinney

Senior Advisor to the Acting Assistant Secretary
 Border and Immigration Policy
 U.S. Department of Homeland Security
 (b)(6)

From: JANKOWICZ, NINA (b)(6)
Sent: Wednesday, May 4, 2022 2:55 PM
To: MCKINNEY, KRISTIE (b)(6) Plumer, Morgan
 (b)(6)
Cc: DELGADO, DANIEL (b)(6)
Subject: RE: [Reminder: Feedback due 10.am]: Disinfo Gov Board Public Announcement Brief

Here's a quick one pager. Seeking guidance on the status of RTQs

Summary of Disinformation Governance Board Roles and Responsibilities

(b)(5)

Page 269

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 270

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

(b)(5)

Nina Jankowicz

Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security

C: (b)(6) | O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: MCKINNEY, KRISTIE (b)(6)

Sent: Wednesday, May 4, 2022 2:29 PM

To: JANKOWICZ, NINA (b)(6) Plumer, Morgan

(b)(6)

Cc: DELGADO, DANIEL (b)(6)

Subject: RE: [Reminder: Feedback due 10.am]: Disinfo Gov Board Public Announcement Brief

Hi Nina,

Circling back on this, are you able to share the TPs?

Thank you!

Kristie

Kristie B. McKinney

Senior Advisor to the Acting Assistant Secretary
Border and Immigration Policy
U.S. Department of Homeland Security

(b)(6)

From: JANKOWICZ, NINA (b)(6)

Sent: Tuesday, May 3, 2022 6:07 PM

To: Plumer, Morgan (b)(6) MCKINNEY, KRISTIE

(b)(6)

Cc: DELGADO, DANIEL (b)(6)

Subject: RE: [Reminder: Feedback due 10.am]: Disinfo Gov Board Public Announcement Brief

Great, we're still working on getting them cleared but I assume I'll be able to share them after S1's testimony tomorrow

Nina Jankowicz

Executive Director
Disinformation Governance Board

Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security

C: (b)(6) | O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: Plumer, Morgan (b)(6)

Sent: Tuesday, May 3, 2022 5:46 PM

To: JANKOWICZ, NINA (b)(6) MCKINNEY, KRISTIE

(b)(6)

Cc: DELGADO, DANIEL (b)(6)

Subject: RE: [Reminder: Feedback due 10am]: Disinfo Gov Board Public Announcement Brief

Hi Nina,

If you have those talkers in a format that is easy to send over to us, we will take them!

Blas's testimony will hit on countering MDM with migrant smugglers, so we suspect this might come up and want to arm him as much as possible!

Thanks!
Morgan

From: JANKOWICZ, NINA (b)(6)

Sent: Tuesday, May 3, 2022 3:45 PM

To: MCKINNEY, KRISTIE (b)(6)

Cc: Plumer, Morgan (b)(6) DELGADO, DANIEL

(b)(6)

Subject: RE: [Reminder: Feedback due 10am]: Disinfo Gov Board Public Announcement Brief

We have more talkers etc for S1 -- if you need anything else just shout!

Nina Jankowicz
Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security

C: (b)(6) | O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: MCKINNEY, KRISTIE (b)(6)

Sent: Tuesday, May 3, 2022 3:35 PM

To: JANKOWICZ, NINA (b)(6)

Cc: Plumer, Morgan (b)(6) DELGADO, DANIEL

(b)(6)

Subject: RE: [Reminder: Feedback due 10am]: Disinfo Gov Board Public Announcement Brief

Thank you!

Kristie B. McKinney

Senior Advisor to the Acting Assistant Secretary
Border and Immigration Policy
U.S. Department of Homeland Security

(b)(6)

From: JANKOWICZ, NINA (b)(6)

Sent: Tuesday, May 3, 2022 3:35 PM

To: MCKINNEY, KRISTIE (b)(6)

Cc: Plumer, Morgan (b)(6) DELGADO, DANIEL

(b)(6)

Subject: RE: [Reminder: Feedback due 10am]: Disinfo Gov Board Public Announcement Brief

[Fact Sheet: DHS Internal Working Group Protects Free Speech Other Fundamental Rights When Addressing Disinformation That Threatens the Security of the United States | Homeland Security](#)

Nina Jankowicz

Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security

C: (b)(6) | O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: MCKINNEY, KRISTIE (b)(6)

Sent: Tuesday, May 3, 2022 3:16 PM

To: JANKOWICZ, NINA (b)(6)

Cc: Plumer, Morgan (b)(6) DELGADO, DANIEL

(b)(6)

Subject: RE: [Reminder: Feedback due 10am]: Disinfo Gov Board Public Announcement Brief

Hi Nina,

Can you please share the final document used for the public announcement?

Blas has a hearing on Thursday and we would like to provide him background information on the Board.

Thank you!

Kristie

Kristie B. McKinney

Senior Advisor to the Acting Assistant Secretary

Border and Immigration Policy

U.S. Department of Homeland Security

(b)(6)

From: JANKOWICZ, NINA (b)(6)

Sent: Friday, April 8, 2022 9:34 AM

To: NUNEZ-NETO, BLAS (b)(6) MIRANDA, LUIS A

(b)(6) McDermott, Thomas M (b)(6) Schaul,

Robert (b)(6) Furst, Hala (b)(6) Picarelli, John

(b)(6) COMAS, JORGE O (b)(6) MCKINNEY, KRISTIE

(b)(6) HUNTER, ADAM (b)(6)

Cc: Kozey, Elizabeth (b)(6) FAUSETT, ANDREW

(b)(6) Fischer, Sebastian (He/Him) (b)(6) DASKAL,

JENNIFER (b)(6) VINOGRAD, SAMANTHA (b)(6)

Subject: [Reminder: Feedback due 10am]: Disinfo Gov Board Public Announcement Brief

Colleagues, looking forward to your feedback on this document for the DBG public announcement.

From: JANKOWICZ, NINA (b)(6)

Sent: Thursday, April 7, 2022 9:13 AM

To: NUNEZ-NETO, BLAS (b)(6) MIRANDA, LUIS A

(b)(6) McDermott, Thomas M (b)(6) Schaul,

Robert (b)(6) Furst, Hala (b)(6) Picarelli, John

(b)(6) COMAS, JORGE O (b)(6) MCKINNEY, KRISTIE

(b)(6) HUNTER, ADAM (b)(6)

Cc: Kozey, Elizabeth (b)(6) FAUSETT, ANDREW

(b)(6) Fischer, Sebastian (He/Him) (b)(6) DASKAL,

JENNIFER (b)(6) VINOGRAD, SAMANTHA (b)(6)

Subject: Review Request: Disinfo Gov Board Public Announcement Brief

Dear Colleagues,

For those of you I haven't yet been introduced to, I'm the new Executive Director for the Disinformation Governance Board.

As preparation for the public announcement of the Board's existence, Ricki Seidman asked us to prepare the following brief explaining (1) the Board's purpose and (2) some of the great work the Board is currently supporting/plans to support in the coming months, including equities you are involved in.

This short document will serve as the springboard for OPA as they engage with a media outlet to announce the Board. In conjunction with that effort, we will be notifying Congressional and private sector stakeholders about the Board's existence and plans.

We would welcome your feedback, comments, and edits, on the paragraphs relevant to your equities, ideally by **10am tomorrow (Friday)**.

Thanks so much for your support- we are excited to get the Board announced publicly! Please reach out with any questions.

Best
Nina

Nina Jankowicz
Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security
C: (b)(6)

Sender:	MCKINNEY, KRISTIE (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) Plumer, Morgan (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) DELGADO, DANIEL (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Sent Date:	2022/05/04 14:55:23
Delivered Date:	2022/05/04 14:55:25

From:	PECK, SARAH (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	ULLOA, ISABELLA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) NUNEZ-NETO, BLAS (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) DASKAL, JENNIFER (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) CANEGALLO, KRISTIE (b)(6) (b)(6) (b)(6) (b)(6) WATERS, ERIN (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) SEIDMAN, RICKI (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	RE: Disinformation board
Date:	2022/05/04 17:49:53
Priority:	Normal
Type:	Note

Hi Blas – Here is our cleared, public language on the working group. Given that S1 testified extensively in front of the Committee on this topic today, (b) (5)

Fact Sheet: DHS Internal Working Group Protects Free Speech and Other Fundamental Rights When Addressing Disinformation That Threatens the Security of the United States

Release Date: May 2, 2022

The U.S. Department of Homeland Security is charged with safeguarding the United States against threats to its security, including threats exacerbated by disinformation.

Disinformation, which is false information that is deliberately spread with the intent to deceive or mislead, can take many forms. When it comes to DHS’s work, the Department is focused on disinformation that threatens the security of the American people, including disinformation spread by foreign states such as Russia, China, and Iran, or other adversaries such as transnational criminal organizations and human smuggling organizations. Such malicious actors often spread disinformation to exploit vulnerable individuals and the American public, including during national emergencies.

For nearly 10 years, different agencies across DHS have worked to address disinformation that threatens our homeland security. Here are some examples:

- U.S. Customs and Border Protection (CBP) counters disinformation that cartels and human smugglers spread to migrants to persuade them to cross our southwest border illegally. CBP's work includes its "Say No to the Coyote" campaign, making clear that entering the United States illegally is a crime.
- In 2012, during Hurricane Sandy, the Federal Emergency Management Agency (FEMA) corrected false information about the safety of drinking water and the location of shelters, to protect and serve the hurricane's victims. FEMA has since built capacity to identify and respond to false information during major disaster responses, including Hurricanes Maria and Ida, during which FEMA provided critical information to protect disaster survivors from targeted scams. FEMA also ensures that disinformation campaigns do not prevent Americans from accessing federal aid during and after disasters.
- The Cybersecurity and Infrastructure Security Agency (CISA) works with private sector stakeholders to mitigate the risk of disinformation to U.S. critical infrastructure, work that has continued in light of Russia's invasion of Ukraine.

The Department identifies disinformation that threatens the homeland through publicly available sources, research conducted by academic and other institutions, and information shared by other federal agencies and partners. DHS then shares factual information related to its mission to potentially impacted people and organizations.

The Department is deeply committed to doing all of its work in a way that protects Americans' freedom of speech, civil rights, civil liberties, and privacy. In fact, the Disinformation Governance Board is an internal working group that was established with the explicit goal of ensuring these protections are appropriately incorporated across DHS's disinformation-related work and that rigorous safeguards are in place. The working group also seeks to coordinate the Department's engagements on this subject with other federal agencies and a diverse range of external stakeholders. The working group does not have any operational authority or capability. There has been confusion about the working group, its role, and its activities. The reaction to this working group has prompted DHS to assess what steps we should take to build the trust needed for the Department to be effective in this space. As a result, we will be taking the following additional steps:

- Under Secretary Mayorkas's leadership, the Department has renewed its commitment to transparency and openness with the public and Congress. DHS will proactively release comprehensive quarterly reports about the working group's activities to Congress, including its oversight committees.
- Secretary Mayorkas will request that the bipartisan Homeland Security Advisory Council (HSAC) make recommendations for how the Department can most effectively and appropriately address disinformation that poses a threat to the homeland, while protecting free speech and other fundamental rights, and that HSAC Co-Chair Jamie Gorelick and HSAC Member Michael Chertoff lead this effort. Ms. Gorelick is a former U.S. Deputy Attorney General and Mr. Chertoff was Secretary of Homeland Security during President George W. Bush's Administration.
- At Secretary Mayorkas's request, DHS is exploring additional ways to enhance the public's trust in this important work.

The working group is co-chaired by the DHS Office of Policy and Office of the General Counsel, and includes other DHS leaders from CISA, FEMA, CBP, the Office for Civil Rights

and Civil Liberties, Office of Intelligence and Analysis, Science and Technology Directorate, and Privacy Office.

From: ULLOA, ISABELLA (b)(6)
Sent: Wednesday, May 4, 2022 12:35 PM
To: NUNEZ-NETO, BLAS (b)(6) DASKAL, JENNIFER (b)(6)
(b)(6) CANEGALLO, KRISTIE (b)(6) PECK, SARAH (b)(6)
(b)(6) WATERS, ERIN (b)(6)
Subject: Re: Disinformation board

Adding Sarah and Erin to share the latest

Isabella Ulloa
Deputy Chief of Staff
U.S. Department of Homeland Security
(b)(6)

From: NUNEZ-NETO, BLAS (b)(6)
Sent: Wednesday, May 4, 2022 12:34:09 PM
To: ULLOA, ISABELLA (b)(6) DASKAL, JENNIFER (b)(6)
CANEGALLO, KRISTIE (b)(6)
Subject: Disinformation board

Hi guys, do we have TP's I should use when I'm inevitably raked over the coals about this specific topic tomorrow?

Blas Nuñez-Neto
Acting Assistant Secretary
Border and Immigration Policy
Vice Chair, Southwest Border Taskforce
U.S. Department of Homeland Security
(b)(6)

Sender:	PECK, SARAH (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
Recipient:	ULLOA, ISABELLA (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
	NUNEZ-NETO, BLAS (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
	DASKAL, JENNIFER (b)(6) (b)(6) (b)(6)
	(b)(6)
	(b)(6)
	CANEGALLO, KRISTIE (b)(6) (b)(6) (b)(6)
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(b)(6)	
WATERS, ERIN (b)(6) (b)(6) (b)(6)	
(b)(6)	
(b)(6)	

ESPINOSA, MARSHA (b)(6) (b)(6) (b)(6)
(b)(6)
(b)(6)
SEIDMAN, RICKI (b)(6) (b)(6) (b)(6)
(b)(6)
(b)(6)

Sent Date: 2022/05/04 17:49:51

Delivered Date: 2022/05/04 17:49:53

Significant Correspondence Report



5.4.22

Control Number	Date Received	To	From	Summary	Counselor	Tasked	Signature Level	Priority Level	Priority Due Date	Secretary Notes
1231821 22-2404	5.4.22	S1	Protect Democracy	Writes regarding significant concerns about the "Disinformation Governance Board."	Kevin Chris	PLCY	(b)(5)			
1231842 22-2405	5.4.22	S1	Rep. Goosar (AZ)	Writes regarding sDisinformation Governance Board.	Kevin Chris	PLCY				



KNIGHT
FIRST AMENDMENT
INSTITUTE at
COLUMBIA UNIVERSITY



May 3, 2022

Secretary Alejandro Mayorkas
Secretary of Department of Homeland Security
U.S. Department of Homeland Security
301 7th St., SW
Washington, DC 20528

RECEIVED

By ESEC at 10:50 am, May 04, 2022

Re: Significant Concerns Regarding the “Disinformation Governance Board”

Dear Secretary Mayorkas:

We write on behalf of Protect Democracy, the Electronic Frontier Foundation, and the Knight First Amendment Institute at Columbia University to express our concern regarding last week’s announcement that the Department of Homeland Security has established a “Disinformation Governance Board.”¹ Disinformation causes real harms, but the Constitution limits the government’s role in combating disinformation directly, and the government can play no useful role at all in the absence of public trust. The announcement of this Board, housed in a Department with a checkered record on civil liberties and without clarity and specificity on its mandate, has squandered that trust.

The initial report revealing the Board’s existence provided that the Board would “immediately begin focusing on misinformation aimed at migrants, a problem that has helped to fuel sudden surges at the U.S. southern border in recent years,” as well as “monitor and prepare for Russian disinformation threats.”² In an interview over the weekend, you further noted that the Board will “work[] to ensure that the way in which we address threats—the connectivity between threats and acts of violence—are addressed without infringing on free speech, protecting civil rights and civil liberties—the right of privacy. The Board . . . will draw from best practices and

¹ Amanda Seitz, *Disinformation Board to Tackle Russia, Migrant*, Assoc. Press (Apr. 28, 2022), <https://apnews.com/article/russia-ukraine-immigration-media-europe-misinformation-4e873389889bb1d9e2ad8659d9975e9d>.

² *Id.*

communicate those best practices to the operators”³ You also said that American citizens would not be monitored.⁴ Yesterday, the Department issued a statement providing that “[t]he Department identifies disinformation that threatens the homeland through publicly available sources, research conducted by academic and other institutions, and information shared by other federal agencies and partners” and “then shares factual information related to its mission to potentially impacted people and organizations.”⁵ The statement specifies that the Board was formed “with the explicit goal of ensuring . . . protections [for freedom of speech, civil rights, civil liberties, and privacy] are appropriately incorporated across DHS’s disinformation-related work and that rigorous safeguards are in place.”⁶ It also notes that the Board will “seek[] to coordinate the Department’s engagements on this subject with other federal agencies and a diverse range of external stakeholders.”⁷

We acknowledge and appreciate the Department’s recognition that mis- and disinformation is a significant problem, particularly with respect to non-English speaking communities.⁸ Those who intentionally spread disinformation can distort public discourse, interfere with elections, and undermine democracy. While we do not believe that there is a single solution to the problem of disinformation, among the solutions needed are the provision of timely, accurate, and trustworthy information by the government, as well as longer term support for education initiatives focused on media literacy. To the extent that the Board would simply ensure that the Department responds to publicly reported disinformation campaigns with timely, accurate information, we would generally welcome such an effort. In the 2020 election, for example, the Department’s Cybersecurity & Infrastructure Security Agency offered a timely

³ *Mayorkas: Disinformation Board Won’t Monitor American Citizens*, CNN (May 1, 2022), <https://edition.cnn.com/videos/politics/2022/05/01/mayorkas-on-disinformation-board.cnn>.

⁴ *Id.*

⁵ *Fact Sheet: DHS Internal Working Group Protects Free Speech and Other Fundamental Rights When Addressing Disinformation That Threatens the Security of the United States*, Dep’t of Homeland Sec. (May 2, 2022), <https://www.dhs.gov/news/2022/05/02/fact-sheet-dhs-internal-working-group-protects-free-speech-other-fundamental-rights>.

⁶ *Id.*

⁷ *Id.*

⁸ *See, e.g., A Growing Threat: The Impact Of Disinformation Targeted At Communities Of Color Hearing Before Subcommittee on Elections H. Comm. on H. Admin., 117th Cong. (Apr. 28, 2022), available at <https://cha.house.gov/committee-activity/hearings/growing-threat-impact-disinformation-targeted-communities-color>.*

rebuttal to claims that there was widespread fraud in the 2020 election.⁹ That is one kind of work that the government can and should do to counteract disinformation.¹⁰

But for the government to play its appropriate role effectively, it must build trust and demonstrate a commitment to abiding by the strict limitations the Constitution places on its ability to combat disinformation, described in some more detail below. The way in which the Department has publicly announced the Board has fallen short on those fronts. Moreover, for the reasons below, we do not believe such an initiative should be housed at the Department. If the Administration is committed to housing it at the Department, though, the Department should at a minimum impose clear restrictions on the Board to ensure that it does not engage in more constitutionally suspect activities.

To the extent that the Board or the Department intends to take any measures to prohibit disinformation or otherwise punish the spread of disinformation or to engage in constitutionally suspect monitoring of communications of individuals in the United States or of citizens abroad, we urge the Department to reconsider for two primary reasons.

First, “[i]f there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.”¹¹ Our First Amendment prohibits such efforts, and for good reason. We have learned the hard way that government initiatives to root out disfavored speech and ideas are dangerous and unwise.¹² Any effort to prohibit or punish the spread of “disinformation” by the Department would likely fall outside of what the Constitution permits, absent extraordinary circumstances and outside narrow categories of speech.

⁹ *Joint Statement from Elections Infrastructure Government Coordinating Council & The Election Infrastructure Coordinating Executive Committees, Cybersecurity & Infrastructure Security Agency* (Nov. 12, 2020), <https://www.cisa.gov/news/2020/11/12/joint-statement-elections-infrastructure-government-coordinating-council-election>.

¹⁰ Another kind of work the government can and should do is to study emerging tools of disinformation and make recommendations on how to combat those tools, like “deep fakes.” See *Portman, Schatz, Ernst, Heinrich, Gardner, Peters, Rounds, Hassan Praise Senate Passage of Bipartisan Bill to Assess & Address Rising Threat of Deepfakes*, Rob Portman (Oct. 25, 2019), <https://www.portman.senate.gov/newsroom/press-releases/portman-schatz-ernst-heinrich-gardner-peters-rounds-hassan-praise-senate>.

¹¹ *W. Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943).

¹² *E.g., New York Times Co. v. Sullivan*, 376 U.S. 254, 273–74 (1964) (recounting the history of the Sedition Act of 1798, which was motivated in part by an effort to tamp down on misinformation, and noting that “[a]lthough the Sedition Act was never tested in [the Supreme] Court, the attack upon its validity has carried the day in the court of history”).

Second, the Department has a history of flouting the Constitution in flagrant ways. It is one of the least politically accountable agencies in our federal government,¹³ and it has often violated individuals' civil liberties. The Department has a particularly poor track record when it comes to "monitoring" individual's First Amendment-protected activities. From illegally surveilling Reverend Kaji Douša after she spoke out against the Trump Administration's immigration policies,¹⁴ to gathering intelligence on reporters that cover the Department,¹⁵ to monitoring the social media accounts of visa applicants,¹⁶ the Department has demonstrated a readiness to cross the legal bounds of privacy and speech rights. We therefore take little comfort from the Department's assurances that it will "'protect privacy, civil rights, and civil liberties' as part of its duties."¹⁷

Even in the hands of well-intentioned, good-faith actors, any government board ostensibly tasked with monitoring and "govern[ing]" disinformation is a frightening prospect; in the wrong hands, such a board would be a potent tool for government censorship and retaliation. The Department now seems to suggest that the primary purpose of the Board is to ensure that civil liberties are protected in activities the Department is already engaged in. If that is the case, it is unfortunate that that purpose was so obscured in a confusing rollout that invited misperception and undermined trust.

We welcome the Department's recognition of the serious problems posed by mis- and disinformation. But for the reasons above, we question whether the Board can play a useful role in combating mis- and disinformation at this point and would encourage you to reconsider the

¹³ Scott Welder, Christine Kwon & Jennifer Dresden, *There's Just One Department of Homeland Security. So Why Does It Have So Many Bosses in Congress?*, Wash. Post (Oct. 21, 2021), <https://www.washingtonpost.com/politics/2021/10/21/theres-just-one-department-homeland-security-so-why-does-it-have-so-many-bosses-congress/>.

¹⁴ See *Douša v. DHS*, Protect Democracy, <https://protectdemocracy.org/project/dousa-v-dhs/> (last visited May 2, 2022).

¹⁵ E.g., Shane Harris, *DHS Compiled 'Intelligence Reports' on Journalists Who Published Leaked Documents*, Wash. Post (July 30, 2020), https://www.washingtonpost.com/national-security/dhs-compiled-intelligence-reports-on-journalists-who-published-leaked-documents/2020/07/30/5be5ec9e-d25b-11ea-9038-af089b63ac21_story.html.

¹⁶ See *Doc Society v. Blinken*, Knight First Amendment Institute at Columbia University, <https://knightcolumbia.org/cases/doc-society-v-blinken>.

¹⁷ Amanda Seitz, *Disinformation Board to Tackle Russia, Migrant*, Assoc. Press (Apr. 28, 2022), <https://apnews.com/article/russia-ukraine-immigration-media-europe-misinformation-4e873389889bb1d9e2ad8659d9975e9d>.

Board's existence or, at a minimum, promptly provide further clarity on the kinds of specific activities the Board will engage in and the activities it will be prohibited from engaging in. Should you wish to discuss this letter or our position, please contact John Langford, at

or

Sincerely,

Protect Democracy
Electronic Frontier Foundation
Knight First Amendment Institute at
Columbia University

PAUL A. GOSAR, D.D.S.
FOURTH DISTRICT, ARIZONA

2057 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-2315

122 N. CORTEZ STREET, SUITE #104
PRESCOTT, AZ 86301
(928) 445-1683

6499 SOUTH KINGS RANCH ROAD, SUITE #4
GOLD CANYON, AZ 85118
(480) 882-2697

220 N. 4TH STREET
KINGMAN, AZ 86401
(928) 445-1683

WWW.GOSAR.HOUSE.GOV



Congress of the United States
House of Representatives
Washington, DC 20515-0301

COMMITTEE ON
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ENERGY AND MINERAL RESOURCES

COMMITTEE ON OVERSIGHT
AND REFORM
SUBCOMMITTEES
ENVIRONMENT
NATIONAL SECURITY

May 4, 2022

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

RECEIVED

By ESEC at 1:42 pm, May 04, 2022

Re: The "Disinformation Governance Board"

Dear Secretary Mayorkas,

I am writing about the decision to create a bizarre "Disinformation Governance Board" at the Department of Homeland Security (DHS). Its sole function is to spy on American citizens, using authorization under the Patriot Act. Your job, and the DHS', was to protect Americans from foreign threats. You have now created an internal police force that is based on political speech and political concerns.

This board is not only unconstitutional and purely partisan, but it is a Soviet-style attempt to obliterate freedom of speech. Congress has not authorized this new department or funded it. Your DHS' February 7, 2022 terrorism bulletin cites a "heightened threat environment" due to domestic terrorism. The bulletin also states that "there is widespread online proliferation of false or misleading narratives regarding unsubstantiated widespread election fraud and COVID-19." And that "grievances associated with these themes inspired violent extremist attacks during 2021."

Almost every sentence is either false or at least subject to dispute. Certainly, there has been false information about the 2020 election and COVID-19. Most of it just happens to come from the Administration itself. But even if you disagree with that, you are not free to label this difference of opinion as "terrorism" and set up an illegal internal secret police. This is an outrageous abuse of civil rights and free speech.

My constituents were forced by the federal government to stay home, not go to school, and shut their businesses. Many were compelled to inject experimental and untested foreign biological material into their body. Many were denied proper treatment for COVID-19 while they watched other nations in real time successfully treat their citizens with remedial and effective drugs. The people have a right to speak about this and share their perspectives and displeasure, without the DHS declaring them terrorists or sharers of disinformation.

This Administration's efforts to propagandize and mislead Americans is not limited to your new Censorship Board. In February 2021, the DOD ordered a "directed standdown" "to address the issue of extremism in the ranks." 62.9% of all new money requested by DOJ in FY 2022 was for the purpose of fighting "domestic violent extremists"—which included the hiring of 299 new employees. And in October 2021, Attorney General Garland directed the full force of federal law enforcement against parents outraged over their children's indoctrination in support of sexual deviancy, pedophilia, grooming, and sexual mutilation in the name of gender dysphoria. Parents should be outraged, and you should be ashamed to support the sexual mutilation of our children. But at the very least you should end your efforts to classify these parents as terrorists.

Please also respond to the following questions:

1. Could you explain why violence from BLM and Antifa is not listed as violent extremism?
2. Can you explain why the recent mass killings by two Black Nationalists were not deemed domestic violent extremism?
3. Could you please list all the "violent extremist attacks in 2021?" Your bulletin and testimony are entirely devoid of evidence.
4. Could you please list property damage and lives lost due to "violent extremist attacks in 2021"?
5. Please list and identify all monetary damage and lives lost due to BLM riots in the summer of 2020?
6. Please identify all congressional sources authorizing a censorship board as being constructed by your office.
7. What is the amount you are budgeting for the new disinformation board?

Thank you for addressing my concerns. Please adhere to all rules and regulations when addressing these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul A. Gosar" with a stylized flourish at the end.

Paul A. Gosar, D.D.S.
Member of Congress

From:	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
To:	PLCY EXEC SEC (b)(6) (b)(6) (b)(6) (b)(6) PLCY-CTTPLE Tasking (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
CC:	(b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) Gilmer, Chadwick (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
Subject:	RE: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board
Date:	2022/05/05 14:13:45
Priority:	Normal
Type:	Note

Hi folks, we're going to be a little late on this- I have a sync with Rob and Jen at 4 and need to go over a few things with them before we begin routing, but I'll have it to you by COB.

Thanks.

Nina Jankowicz

Executive Director
Disinformation Governance Board
Office of Strategy, Policy, and Plans
U.S. Department of Homeland Security

C: (b)(6) | O: (b)(6)

(b)(6)

(b)(6)

(b)(6)

From: BECTEL, CHRISTINE (b)(6) **Behalf Of** PLCY EXEC SEC
Sent: Wednesday, May 4, 2022 10:08 AM
To: JANKOWICZ, NINA (b)(6) PLCY-CTTPLE Tasking <PLCY-CTTPLE-(b)(6)>
Cc: PLCY EXEC SEC (b)(6) (b)(6) (b)(6) (b)(6) Gilmer, Chadwick (b)(6)
Subject: RE: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board

Hi Nina and CTTPLE,

Passing on this comment OPE provided regarding these letters:

(b)(5)

Best,

(b)(6) (b)(6)

Executive Secretariat | PLCY
U.S. Department of Homeland Security

From: JANKOWICZ, NINA (b)(6)

Sent: Friday, April 29, 2022 7:11 PM

To: PLCY EXEC SEC (b)(6) PLCY-CTTPLE Tasking (b)(6)

(b)(6)

Cc: PLCY EXEC SEC (b)(6) (b)(6) (b)(6) (b)(6) Gilmer,
Chadwick (b)(6)

Subject: Re: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board

Hi all,

Received. I just spoke with Lucian and we are seeking guidance from the front office, PLCY FO, and OGC on how to proceed with these and whatever other inquiries we may receive on this issue.

Back to you with a plan as soon as we can.

Best

Nina

From: (b)(6) (b)(6) (b)(6) behalf of PLCY EXEC SEC

(b)(6)

Sent: Friday, April 29, 2022 5:16:38 PM

To: PLCY-CTTPLE Tasking (b)(6) JANKOWICZ, NINA

(b)(6)

Cc: PLCY EXEC SEC (b)(6) (b)(6) (b)(6) (b)(6) Gilmer,
Chadwick (b)(6)

Subject: Due 4pm 5/5 [PLCY Draft] Congressional Correspondence re: Disinformation Governance Board

Good afternoon CTTPLE and Nina,

ESEC has assigned PLCY as lead to draft two letters regarding the newly-formed Disinformation Governance Board, one to Senator Hawley (WF 1231591) and the other to Senator Johnson (WF 1231590). We anticipate receiving more letters on this topic (b) (5)

(b)(5)

Folder icon Disinformation Governance Board Letters

Once we receive your draft, we will route to Components for review, then back to you for adjudication, then on to PLCY FO and DHS FO review.

We would appreciate receiving the initial draft **by 4pm on Thursday, May 5th**.

Let us know if you have any questions.

Kind regards,

(b)(6) (b)(6)
Correspondence Analyst
Executive Secretariat | PLCY
U.S. Department of Homeland Security
Cell: (b)(6)
(b)(6)

Sender:	JANKOWICZ, NINA (b)(6) (b)(6) (b)(6) (b)(6)
Recipient:	PLCY EXEC SEC (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) PLCY-CTTPLE Tasking (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) (b)(6) Gilmer, Chadwick (b)(6) (b)(6) (b)(6) (b)(6) (b)(6)
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