

November 14, 2022

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

Dear Secretary Mayorkas:

Under your tenure, you have transformed the Department of Homeland Security into an engine to suppress the freedom of speech. According to explosive reports, you are yet again hiding information about your efforts to suppress speech you dislike—in flagrant disregard of congressional oversight requests and federal law. This is unacceptable. You must immediately disclose, publicly, all your efforts to suppress speech.

When you last appeared before the Senate, I questioned you at length about your decision to create a so-called “Disinformation Governance Board” and appoint Nina Jankowicz to lead this anti-free speech committee.¹ In August, you finally disbanded that dystopian project.² But *The Intercept* reports that although “DHS shuttered its controversial Disinformation Governance Board, a strategic document reveals the underlying work is ongoing.”³ In other words, you professed to disband that board but in fact simply transferred its speech-suppression activities to other groups in your Department.

Leaked documents obtained by *The Intercept* “illustrate an expansive effort by the agency” to continue the speech-suppression mission of the Disinformation Governance Board after you supposedly disbanded that board. As the documents reveal, “initiatives are underway as DHS pivots to monitoring social media.” This activity is happening “[b]ehind closed doors” and “through pressure on private platforms,” such as Facebook. What is more, “Facebook created a special portal for DHS” to streamline directives from your Department to suppress speech. While you were publicly announcing that you had disbanded the Disinformation Governance Board, your Department was still “having biweekly meetings” behind closed doors with Facebook to suppress speech.

In light of these shocking revelations, it is no wonder that a federal judge has already given Missouri and Louisiana authority to compel testimony from top Biden Administration officials about the Administration’s unconstitutional speech suppression—including from Jen Easterly, Director of the Cybersecurity and Infrastructure Security Agency, an agency within your Department.⁴

¹ Senate Homeland Security and Governmental Affairs Committee, Hearing on Resources and Authorities Needed to Protect and Secure the Homeland (May 4, 2022).

² <https://www.dhs.gov/news/2022/08/24/following-hsac-recommendation-dhs-terminates-disinformation-governance-board>

³ <https://theintercept.com/2022/10/31/social-media-disinformation-dhs/>

⁴ *Missouri v. Biden*, No. 3:22-cv-01213, [Doc. 90](#) (W.D. La. Oct. 21, 2022).

When you last appeared before the Senate, you testified under oath in response to my questioning that you “owe openness and transparency” to the Senate and that, absent a legal prohibition, you would “produce the documents” related to your speech-suppression efforts. Yet despite my repeated requests for information in letters dated April 28, May 23, July 7, and July 13, you still have not come clean about the full extent of your Department’s operations. You have even flouted statutory law that requires you provide documents in response to my May 23 request. 5 U.S.C. § 2954.

It is clear from the latest reports that you have deliberately withheld documents from Congress and the American public about your efforts to suppress speech. Your actions are a blatant disregard for congressional oversight and a violation of statutory law. Before you appear for questioning before the Senate Judiciary Committee on November 16, please provide me with all communications and records related to your Department’s efforts to suppress speech, whether through the Disinformation Governance Board or under any other name.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is written in a cursive, flowing style with a large initial "J" and a long, sweeping underline.

Josh Hawley
United States Senator