

COMMITTEE ON THE JUDICIARY,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

DEPOSITION OF: NINA JANKOWICZ

Monday, April 10, 2023

Washington, D.C.

The deposition in the above matter was held in Room 2237, Rayburn House Office Building, commencing at 10:02 a.m.

Present: Representatives Jordan, Gaetz, Biggs, Issa, and Ivey.

Appearances:

For the COMMITTEE ON THE JUDICIARY:

- ██████████ GENERAL COUNSEL
- ██████████ COUNSEL
- ██████████, CHIEF COUNSEL FOR OVERSIGHT
- ██████████ COUNSEL
- ██████████ SPECIAL COUNSEL
- ██████████ DIGITAL DIRECTOR
- ██████████ MINORITY CHIEF OVERSIGHT COUNSEL
- ██████████ MINORITY OVERSIGHT COUNSEL
- ██████████ MINORITY INTERN
- ██████████ MINORITY STAFF ASSISTANT

For the SUBCOMMITTEE ON THE CONSTITUTION AND LIMITED GOVERNMENT:

- ██████████████████████ MINORITY INTERN
- ██████████████████████ MINORITY PROFESSIONAL STAFF MEMBER

For the SUBCOMMITTEE ON THE ADMINISTRATIVE STATE,
REGULATORY REFORM, AND ANTITRUST:

 MINORITY CHIEF OVERSIGHT COUNSEL

For THE WITNESS:

ANDREW D. HERMAN, ESQ.

Lawrence & Bundy

1775 Pennsylvania Ave.

Washington, D.C. 20006

██████████ Good morning.

This is a deposition of Ms. Nina Jankowicz. Chairman Jordan has requested this deposition as part of the committee's oversight of the Disinformation Governance Board within the Department of Homeland Security.

The committee's oversight of the Disinformation Governance Board and its effect on Americans' civil liberties falls squarely within the committee's jurisdiction and are subjects on which legislation could be had. These potential legislative reforms include the prohibition of such a Federal disinformation entity, restrictions on the executive branch's authority to collect speech-related information about American citizens, or enhanced protections surrounding civil liberties.

As the former Executive Director of the board, Ms. Jankowicz is uniquely situated to provide information that is relevant and necessary to inform the committee's oversight and potential legislative reforms.

On March 6, 2023, Chairman Jordan issued a subpoena for Ms. Jankowicz to testify at a deposition on April 10, 2023. I'd like to mark the March 6, 2023, subpoena as exhibit No. 1.

[Jankowicz Exhibit No. 1

Was marked for identification.]

██████████ Could the witness please state your name for the record?

The Witness. Nina Jankowicz.

██████████ Could counsel please state your name for the record?

Mr. Herman. Andrew Herman.

██████████ My name is ██████████ and I'm with Chairman Jordan's staff.

I'll now have everyone else from the committee who is here at the table and in

the room introduce themselves as well.

██████████ I'm ██████████ with the majority staff of the House Judiciary Committee.

Mr. Gaetz. Matt Gaetz, majority member of the House Judiciary Committee.

Mr. Biggs. Andy Biggs, majority member of the House Judiciary Committee.

Chairman Jordan. Jim Jordan.

Mr. Ivey. Glenn Ivey, member of the House Judiciary Committee.

██████████ ██████████ I'm the chief oversight counsel for the House Judiciary Committee, Democratic side.

██████████ ██████████ chief Democratic counsel for the Antitrust Subcommittee, majority.

██████████ Minority.

██████████ Minority. Sorry.

██████████ I'm ██████████ House Judiciary minority.

██████████ ██████████ House Judiciary minority.

██████████ ██████████ Judiciary majority.

██████████ ██████████ majority.

██████████ ██████████ majority.

██████████ ██████████ with the majority.

██████████ I'm ██████████ with the minority.

██████████ Thank you.

I'd like to now go over the ground rules and guidelines that we will follow during today's deposition.

The committee will conduct today's deposition in accordance with Rule 11 of the Committee on the Judiciary's Rules of Procedure for the 118th Congress.

Our questioning will proceed in rounds. The majority will ask questions first for 1 hour. Then the minority will have an opportunity to ask questions for an equal period of time if they choose. We will alternate back and forth until there are no more questions and the interview is over.

Typically, we take a short break at the end of each hour, but if you would like to take a break apart from that, please just let us know.

As you can see, there is an official court reporter taking down everything we say to make a written record, so we ask that you give verbal responses to all questions.

Do you understand?

The Witness. Yes, I do.

██████████ So the court reporter can take down a clear record, we will do our best to limit the number of people directing questions at you during any given hour to just that person on the staff whose turn it is.

Please try and speak clearly so the court reporter can understand and so the folks down at the end of the table can hear you as well.

It is important that we don't talk over one another or interrupt each other if we can help it. And that goes for everybody present at today's interview.

We want you to answer our questions in the most complete and truthful manner as possible, so we will take our time. If you have any questions or if you do not understand one of our questions, please just let us know. Our questions will cover a range of topics, so if you need clarification at any point, just say so.

If you honestly don't know the answer to a question or do not remember, it is best not to guess. Please give us your best recollection. And it is okay to tell us if you learned information from someone else; just indicate how you came to know the information.

If there are things you don't know or cannot remember, just say so, and please inform us who, to the best of your knowledge, might be able to provide a more complete answer to the question.

By law, you are required to answer questions from Congress truthfully. Do you understand that?

The Witness. I do.

██████████ This also applies to questions posed by congressional staff in an interview. Do you understand this?

The Witness. I do.

██████████ Witnesses that knowingly provide false testimony could be subject to criminal prosecution for perjury. Do you understand this?

The Witness. I do.

██████████ Is there any reason you are unable to provide truthful answers to today's questions?

The Witness. No.

██████████ Finally, I'd like to make note that the content of what we discuss here today is confidential. We ask that you not speak about what we discuss in this interview to any outside individuals to preserve the integrity of our investigation.

For the same reason, the marked exhibits that we will use today will remain with the court reporter so that they can go in the official transcript, and any copies of those exhibits will be returned to us when we wrap up.

All right. That is the end of my opening remarks. Is there anything that my colleagues from minority would like to add?

██████████ Just thank the witness for coming today.

██████████ Thank you.

The court reporter will now swear the witness in.

The Reporter. Would you please raise your right hand?

Do you declare and affirm under the penalty of perjury that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth?

The Witness. I do.

The Reporter. Thank you.

██████████ The clock now reads 10:07 a.m. We will start our first round of questioning.

EXAMINATION

BY ██████████

Q Ms. Jankowicz, prior to being named Executive Director of the Disinformation Governance Board at the Department of Homeland Security, what did you do?

A I was a freelancer, basically. I for a long time held a global fellowship at The Wilson Center, which, as everyone in the room will know, is the Nation's premier nonpartisan policy institution here in D.C.

I worked on issues related to disinformation, including Russian disinformation, disinformation and online abuse against women, and issues pertaining to protection of freedom of expression.

Q And when did you start to work at DHS?

A My first day at DHS was March 2, 2022.

Q And was that always as the Executive Director of the Disinformation Governance Board?

A Yes.

Q And how long did you work at DHS?

A My last day at DHS was May 18, 2022.

Q So March 2nd is when you started and May 18th is when your last day was?

A That's correct.

Q Do you currently have any role with the Department of Homeland Security?

A I do not.

Q In your current positions, do you interact with anyone at the DHS on a regular basis?

A I do not.

Q And what do you currently do for work?

A I am the vice president of the Center for Information Resilience, which is a U.K.-based nonprofit that counters disinformation, documents human-rights abuses, and combats online harms against women and minorities through open-source investigations.

Q And has your work always focused on disinformation?

A Prior to my Fulbright grant in Ukraine in 2016 and 2017, I worked at the National Democratic Institute, a nonprofit here in D.C., focusing on protections of democratic rights for people in Belarus and Russia.

Q Okay.

And when did you first learn of the plans to create the Disinformation Governance Board?

A I did not hear the phrase "Disinformation Governance Board" until mid-January of 2022, just before I was due to receive a job offer from DHS.

Q And prior to that, had you heard of an effort at DHS to work on disinformation?

A In my conversations pertaining to the job for which I was being considered, I learned that individuals within the Department of Homeland Security wanted to do more

to combat disinformation that had a nexus with homeland security, but it didn't necessarily take on the shape of the board.

Q And who did you learn about the creation of the Disinformation Governance Board or the job offer?

A From Under Secretary Rob Silvers.

Q And how did he communicate these plans to you?

A As I said before, just before I received my official job offer, he gave me a call and told me that the Policy Advisor position for which I was being considered was going to shift to the Executive Director role, and he was just informing me of that.

Q And do you know, was it Under Secretary Silvers who came up with the idea of the board or came up with the idea of combating disinformation with a homeland security nexus?

A I don't have knowledge of that.

Q Okay.

And what did you understand was the impetus for the creation of the Disinformation Governance Board?

A I understood the idea to be based on coordination within the Department. As you know, DHS is an extremely large governmental department with many different, disparate entities spread out not only all over D.C. but all over the country. And some DHS entities, like FEMA, had been doing work to counter disinformation for over a decade, and the idea was to share best practices, to bring people together more frequently, and, you know, to share knowledge across the Department, which can often be quite siloed.

Q And when you learned that they were going to create a board and you morphed from a Senior Policy Advisor to the Executive Director of the board, did you

believe that the board was necessary?

A From what I was told, yes, I believed that the board was necessary, again, for the same reasons that I've just laid out, that, you know, this is a large government department, and in my previous research of countries around the world, a single nerve center within government departments to help people share information is always a good thing and, in fact, a best practice in countering disinformation in nations that have, you know, been on the forefront of fighting this threat.

Mr. Gaetz. I've got a few followups just on --

[REDACTED] Uh-huh.

Mr. Gaetz. When did you first learn of this opportunity?

The Witness. I was first -- well, Congressman, can you be more specific? Of the board or of --

Mr. Gaetz. Sure. When did you first learn of any opportunity to work for DHS?

The Witness. I got an email with a request for a phone call from Under Secretary Silvers in October of 2021.

Mr. Gaetz. And who sent you that email?

The Witness. Under Secretary Silvers.

Mr. Gaetz. Oh, it wasn't from a staff member; it was directly from the Under Secretary?

The Witness. Uh-huh.

Mr. Gaetz. And do you still have that email?

The Witness. Yes, I believe I do.

Mr. Gaetz. Okay. If the committee asked you to produce it, is that something you'd be willing to produce?

The Witness. I'd have to confer my counsel about that.

Mr. Gaetz. Okay. But you're still in possession?

The Witness. I would have to check. It did come to my personal email. All of these are also, you know, something that DHS would have on file, and I would suggest that the committee could look to DHS or White House PPO for anything related to my hiring.

Mr. Gaetz. Did you know Mr. Silvers prior to receiving this email?

The Witness. Mr. Silvers and I became acquainted when we were both volunteers on the Biden campaign's policy advisory groups.

Mr. Gaetz. And roughly when was that?

The Witness. I suppose it was the summer of the election year, 2020.

Mr. Gaetz. Okay. Can you describe the nature of that acquaintance?

The Witness. Sure.

So most Presidential campaigns, as you all know, have policy advisory arms. We were both volunteers within the policy advisory groups. I was on the foreign policy advisory group. I believe Mr. Silvers, although I am not certain, was on the homeland security advisory group. And there was a cross-campaign advisory group related to election interference that we both served on.

Mr. Gaetz. And how many people roughly served on that election interference advisory group?

The Witness. I can't say, Congressman. The policy advisory groups are quite large.

Mr. Gaetz. You --

The Witness. I really can't venture a guess.

Mr. Gaetz. In the dozens?

The Witness. I really can't venture a guess. I wouldn't want to go on the record

with a guess.

Mr. Gaetz. Sure.

Were those meetings that occurred in person or digitally?

The Witness. That was at the height of the pandemic, so they were all digital.

Mr. Gaetz. So had you ever interacted with Mr. Silvers personally prior to receiving the email with the job opportunity?

The Witness. You know, one of the peculiarities of the pandemic is that we all made a lot of relationships where we never people face-to-face, and I had never met Rob face-to-face before actually starting at DHS.

Mr. Gaetz. And so, during your work together as part of the election interference advisory group, what kind of matters did you work with Mr. Silver on?

The Witness. So there were weekly updates to the campaign about foreign interference, primarily. And there was a sort of plan for how DHS and the Federal Government could potentially address disinformation. There were a lot of kind of ideas being circulated, and so I fed back on a couple of those memos, but they were all very notional.

Mr. Gaetz. And, again, I'm trying to get a sense of how you and Mr. Silvers might have worked together. You're on Zoom; lots of people on these Zoom calls. Were there any specific projects that the two of you were on a smaller group setting with or in any other type of partnership with?

The Witness. I don't believe so. I think our primary interaction was my feeding back on a memo that he had written.

Mr. Gaetz. And what was the subject of that memo?

The Witness. It was about how the Federal Government could respond to disinformation.

Mr. Gaetz. In the election space?

The Witness. Broadly. Mostly focused on foreign interference.

Mr. Gaetz. Was it mostly focused on any particular country?

The Witness. I can't recall, Congressman.

Mr. Gaetz. Would you still have that memo if we asked you to search it?

The Witness. No.

Chairman Jordan. When Mr. Silvers contacted you in October of 2021, did he send you any material with that email?

The Witness. He did not.

Chairman Jordan. Are you familiar with a memorandum he issued to the Secretary in the month prior, in September of 2021?

The Witness. I am only familiar with that because of the whistleblower materials and the FOIA materials. I hadn't seen it prior to that.

Chairman Jordan. Okay.

BY [REDACTED]

Q And during your prior research in your work, had you worked with DHS officials?

A I had not.

Q So, when you were approached by Under Secretary Silvers about this position, that was the first time you were interacting with anyone from DHS?

A I don't -- I think I had interacted with DHS officials during the Trump administration. I served on a panel with Christopher Krebs once. I'm sure I had some kind of tertiary interactions, but I never did any substantive work with DHS prior to joining the Department.

Q And during the discussions about the job opportunity at DHS, did you have

any interactions with the White House?

A I had interactions with White House PPO, yes.

Q And can you describe those interactions?

A As far as I am aware, these were, you know, basic vetting and hiring discussions that every political appointee goes through.

Q And so you were a political appointee in the Biden administration?

A That's correct.

Q And who at the Department of Homeland Security were you in contact with prior to your appointment? Was that just Under Secretary Silvers?

A There were a variety of individuals that I interviewed with, as well as HR officials and the DHS White House Liaison as well.

Q Do you remember who you interviewed with?

A So the substantive interviews on the DHS side were with Samantha Vinograd, Jen Daskal, Rob Silvers -- Under Secretary Silvers, and then finally with Secretary Mayorkas.

Q And was it your understanding that you'd be working closely with Ms. Vinograd, Daskal, and Under Secretary Silvers?

A Yes.

Chairman Jordan. If I could go back a second, [REDACTED]

[REDACTED] Uh-huh.

Chairman Jordan. When you were with the election interference policy group with the campaign, I understand, did you guys have any interactions with the Aspen Institute?

The Witness. No, not to my knowledge. I certainly did not.

Chairman Jordan. Okay.

Mr. Biggs. So I don't know if you're going to go into this today. I'm just curious about your interaction with Secretary Mayorkas. Could you describe the extent of that, please? When did it begin? And this is just in the, I guess, pre-startup phase, if we can.

The Witness. So this was in January 2022. It was the last interview before I received a job offer. And it was a short conversation, essentially a meet-and-greet, I would call it.

Mr. Biggs. It wasn't a Zoom; it was actually a face-to-face?

The Witness. No, it was also a -- it was on Microsoft Teams.

Mr. Biggs. Oh, okay.

The Witness. He asked about, you know, the pictures I had in my background.

Mr. Biggs. Okay.

The Witness. And my dog was on the bed behind me.

Mr. Biggs. All right. Thank you.

BY [REDACTED]

Q And, as Executive Director, what were your roles and responsibilities?

A I like to refer to my job as Executive Director as "lovingly herding government cats," getting people to meetings --

Q Uh-huh.

A -- understanding the work that people all around the DHS were doing, representing DHS at interagency meetings.

And, eventually, although this didn't end up coming to fruition, the idea was that I would also be a kind of point of contact for academic institutions and other nongovernmental institutions for DHS in matters related to countering disinformation.

Q As Executive Director, did you have any employees that reported directly to

you?

A I did not. I was the single employee of the Disinformation Governance Board. I didn't have any direct reports. And anyone else working on the board was not a full-time staffer. They were detailed part-time and had other supervisors.

Mr. Gaetz. Excuse me. When you talked about being the point of contact for other entities, can you describe that with a little more detail for me?

The Witness. Sure. So, again, this relates to the kind of depth and breadth of DHS and its portfolio, which is quite large.

The idea is that, you know, if there were an issue of concern that came up with a homeland security nexus relating to disinformation, that rather than ping-ponging requests around the Department, that an entity could bring that request or, you know, issue of concern to me, and then I could deliver it to the right person so that we could kind of cut out some of the lag in response time or, you know, connect people with the right individuals right away.

Mr. Gaetz. And when you envisioned this role that did not come to fruition, were there specific NGOs or university entities that you thought you'd be dealing with more frequently?

The Witness. No. You know, I really wanted to make sure that the working-level individuals at the Department of Homeland Security kind of were exposed to a wide variety of viewpoints and research on disinformation.

Before Congress, in, you know, my previous testimony, I've always reminded everyone that disinformation is a nonpartisan issue. It affects everyone, no matter your political party. And so I consume and read a lot of different things from a lot of different institutions, and, you know, I would put that before everybody as Executive Director as well.

Mr. Gaetz. And what are some of those premier institutions that you draw from?

The Witness. I mean, it depends on the issue, Congressman. I think, you know, there is really a wide nexus of institutions that do work in this space, primarily academic institutions, also other governments as well. So I --

Mr. Issa. Well, can you name half a dozen?

The Witness. I could rattle off a bunch --

Mr. Issa. Please do.

The Witness. -- right now. Sure.

So, you know, I often refer my students to the U.K. Government's work on countering disinformation. There's a number of institutions here in D.C., from, you know, the Brookings Institution; CSIS; Heritage does work on disinformation; the Center for European Policy Analysis.

But, again, this is quite speculative, and I can't say what I would've distributed to the members of the board, because it never happened. So --

Mr. Gaetz. But was one of the reasons you were hired for this position the thought that you had relationships in this community of entities -- NGOs, universities, think tanks -- and that you could coordinate their interface with DHS?

The Witness. I can't speak to, you know, one of the reasons that I was hired. You'd have to ask DHS about that.

Mr. Gaetz. In any of the discussions you had around your employment, did you ever discuss the work you had done with some of these academic entities and think tanks?

The Witness. No, Congressman. We discussed my body of work, but that was it.

Mr. Gaetz. But did that body of work not include correspondence with these universities and NGOs that you discussed that you would be the point of contact for?

The Witness. It discussed my research.

Mr. Gaetz. Yeah. I guess what I'm having a hard time understanding is, if one of your roles that you understood as the Executive Director was to provide this interface between DHS and those who would present, I believe you testified, issues of concern, the committee's trying to understand where those issues of concern might emanate from.

The Witness. Uh-huh. Well, Congressman, respectfully, I think that's speculative, considering that the board doesn't exist anymore.

So, I mean, again, if you're interested in learning about why I was considered for the role, I would suggest that you speak to DHS and White House PPO.

Mr. Gaetz. Did you ever discuss Clemson University and the work they do on disinformation?

The Witness. No.

Mr. Gaetz. Great.

Thank you, [REDACTED]

Mr. Biggs. Can I interrupt? Because since we're talking a little bit about the interviewing process, I'm going to tie back just a sec to something that Representative Jordan, Mr. Chairman, referenced as well, and that's that September 13, 2021, memo.

The Witness. Sure.

Mr. Biggs. And you didn't see it, is my understanding from your testimony, until it became subject to a FOIA request or something like that?

The Witness. That's correct.

Mr. Biggs. Okay.

But in the course of the interviews, did any of them ever mention -- you know, I

guess you talked to Mr. Silvers and Ms. Vinograd and -- I can't remember; you mentioned, I think, a third person besides the Secretary. Did any of them mention any of the content of what became known to you as the September 13, 2021, memo?

The Witness. No, Congressman.

Mr. Biggs. Okay. Thank you.

BY [REDACTED]

Q And, Ms. Jankowicz, you've briefly stated that there were others who worked on the board but they were detailed. Who were those individuals?

A There were three lawyers who were working part-time detailed, two from OGC, the Office of the General Counsel, and one from CISA. I have forgotten the third person's name, because I hadn't worked with him very much. But Andrew Fausett was detailed from OGC, and Sebastian Fischer was detailed from the counsel's office at CISA. And, again, it was part-time for them.

And then there was a Policy detailee, Elizabeth Kozey, who was working with us as well.

Q And they just worked with you part-time, you said?

A That's correct.

Q And what was Ms. Vinograd's role with the board?

A So Ms. Vinograd -- Acting Assistant Secretary Vinograd was my direct supervisor. She signed off on my timesheets and such. And she -- and I always get this acronym wrong, so forgive me. I believe her title is Acting Assistant Secretary for the CTTPL, Center for Targeted Terrorism Prevention and Law Enforcement, entity within DHS Policy.

Q And how often did you interact with Acting Assistant Secretary Vinograd?

A I mean, pretty much daily. Just, she was a very involved manager.

Q And very involved in the work of the board?

A I would say she was more involved in -- this was my first government service, and so she was helping me navigate the quite impenetrable DHS bureaucracy more than anything.

Q And what was Ms. Daskal's role with the board?

A So Jen Daskal was the co-chair of the board.

Q Okay. And so how often did she work on the board? Was it part-time?

Full-time?

A Jen?

Q Uh-huh.

A Well, as Deputy General Counsel of the entire Department, she had quite a busy schedule, so I can't really venture a guess about how much of her time was spent on the board, but it was less frequent than most of her other responsibilities.

Q And if you had a meeting related to the board, would Ms. Daskal attend?

A If she was available, yes.

Q And Under Secretary Silvers, what was his role with the board?

A He was also a co-chair of the board.

Q Okay. And how often did he work on board-related matters?

A Again, he had quite a large portfolio, so, as much as possible, we only took issues to him when they were decisional.

Q And with Under Secretary Silvers, if you had meetings that involved the board or were related to the board's work, did Mr. Silvers attend?

A Usually not. He was -- he and Jen were meant to be kind of the -- as I said, they were the co-chairs. So, if we had a board meeting -- which we never did -- the heads of the components from all DHS entities and Rob and Jen would be there. So they

were at a higher level. I wouldn't say they were at a working level.

Q And who was the ultimate decisionmaker for the board's actions?

A Well, the board never took any actions, so there was no ultimate decisionmaker. I think if we had had a board meeting, there would've been votes --

Q Uh-huh.

A -- and the board would've taken decisions based on those votes. So there was no kind of ultimate decisionmaker.

Q What did you understand the hierarchy of the board -- what would it be?

A How the board would make decisions, do you mean?

Q Correct.

A So, as is laid out in the charter, there are meant to be four quarterly meetings per year that component heads or their designees would attend. And the list of members of the board is in that charter as well. Jen and Rob were the co-chairs.

And issues would be presented before the board. The board would take a vote and make a recommendation. And components could implement that recommendation or not implement it as they saw fit.

Q And what was your role going to be with the board? Would you be a decisionmaker or no?

A I was a nonvoting member. So, again, we never had a meeting, but what I understood was that I would attend the meetings, potentially present issues that we had teed up, and make recommendations for potential decisions.

Q Okay.

I know we've spoken about this September 13, 2021, memorandum from Under Secretary Silvers, and you said you became aware of it following the FOIA request. Is that correct?

A That's true, yeah.

Q I'd like to offer the September 13, 2021, memo as exhibit No. 2.

[Jankowicz Exhibit No. 2

Was marked for identification.]

BY [REDACTED]

Q Have you had time to review, Ms. Jankowicz?

A Yes.

Q So, on page 4 of the memo, the paragraph directly above Option 3 said that "components would also be responsible for partner engagement in their respective mission spaces, including with the interagency, SLTT authorities, private sector entities, tech platforms, and the general public."

And in some previous questioning with Mr. Gaetz, you discussed some of the private-sector entities and your partner engagement.

Did you have any interactions with any private-sector entities between March 2nd and May 18th?

A Yes.

Q Can you list some of those interactions for us?

A To my knowledge, we had one meeting with the Global Internet Forum to Counter Terrorism.

We had planned meetings or attempted to secure meetings with Twitter -- one meeting with Twitter, which did not take place.

Facebook approached us for a meeting. That meeting never took place.

And I had sent a few inquiry emails to academic institutions to try to convene a roundtable about irregular migration and disinformation surrounding migration.

Q And what were those academic institutions that you reached out to?

A I can't recall.

Q Would they all have been in the space of irregular migration?

A Yes. They were individuals that studied migration.

Q And you said the Global Internet Forum, there was a meeting that you had, correct?

A Yes.

Q And do you remember when about that meeting took place?

A I believe that was in March 2022. It was something that had been arranged prior to my joining the Department.

Q Was it your understanding that the Global Internet Forum reached out to DHS, or did DHS reach out to --

A I don't know.

Q Okay. And who attended the meeting from DHS?

A That would've been Under Secretary Silvers, Jen Daskal, and Sam Vinograd, and myself.

Q And were there any recommendations that came out of the meeting or do-outs that you had to do following the meeting?

A No.

Q And you said that you had secured a meeting with Twitter but it never occurred, correct?

A That's incorrect. We did not secure --

Q Okay.

A -- a meeting with Twitter. We tried to secure a meeting with Twitter, and that did not end up happening.

Q And did DHS reach out to Twitter, or did Twitter reach out to you?

A DHS reached out to Twitter during -- because Under Secretary Silvers was traveling to the Bay Area.

Chairman Jordan. Who did the outreach?

So you get hired in March. You leave in May. You said you reached out to Twitter. Did you do that? And when did you do that?

The Witness. I can't remember, Congressman, if I did the initial outreach and was copied on the email or if -- or, sorry, if I did the initial outreach and copied a colleague on the email or if it was vice versa. That would've been in mid- to late April of 2022.

Chairman Jordan. Okay.

The Witness. And, again, coincided with Under Secretary Silvers' trip to the Bay Area.

Chairman Jordan. Uh-huh.

BY [REDACTED]

Q And what was to be the focus of that meeting?

A It was a meet-and-greet.

Q Uh-huh.

And you said that Facebook approached DHS, correct?

A Yes.

Q Do you remember when about that was?

A I want to say it was around the same time period, mid- to late April 2022, but I might be mistaken about that.

Q And that meeting never occurred, correct?

A Correct.

Q And on page 2 of the memorandum --

Mr. Gaetz. Before we go there --

██████████ Yes.

Mr. Gaetz. -- I have some followup questions on the irregular migration meeting.

The Witness. Uh-huh.

Mr. Gaetz. What was the purpose of that meeting?

The Witness. So one of the things, Congressman, as I testified before, that I really wanted to do as Executive Director was bring in subject-matter experts who had really a depth and breadth of knowledge that working-level staffers can't do because of all that's on their plate and kind of allow them to show us what they saw as potential problems in their subject-matter areas.

So, in this case, given the, you know, amount of irregular migration that DHS was seeing and the fact that a lot of it was driven by disinformation, saying that you could get citizenship upon crossing the border, or that, you know, there were human smugglers who were promising wild things to people who were making that journey, we wanted to understand it better. And that's not an issue area that I had experience in. That's not what my research on disinformation has focused on. And so, looking at individuals who have written about disinformation related to irregular migration, the idea was to convene a roundtable and be informed by their research.

Mr. Gaetz. And who are those experts?

The Witness. I can't remember who I reached out to at this point, Congressman.

Mr. Gaetz. Do you know roughly how many?

The Witness. I think it was about five or six.

Mr. Gaetz. Were they people or entities?

The Witness. They were individuals who had published academic research about disinformation relating to migration.

Mr. Gaetz. And your concern was that migrants would be induced by disinformation?

The Witness. Certainly. I think that's a fact, Congressman, that migrants are being lied to about what is available when they come to the United States and how easy the journey will be. And that was of great concern to the Department.

Mr. Gaetz. Were there other features of disinformation that concerned you to work to have that discussion?

The Witness. Related to -- I don't understand your question.

Mr. Gaetz. What's of some interest to me is that, upon taking this role, one of the very first things you do is seek to convene a discussion around irregular migration --

The Witness. Uh-huh.

Mr. Gaetz. -- not -- you could've chosen any topic in the world. You chose this topic.

So I guess I'm trying to understand, why was this the first topic you chose for such a convention of minds?

The Witness. Right. Understood, Congressman. The answer is simple: Because it was of interest to the board co-chairs, Jen Daskal and Rob Silvers in particular.

Mr. Gaetz. Was this the only issue that they expressed this level of interest in?

The Witness. There were three. And I'm having a little bit of a lapse of memory. So the three pillars were irregular migration, foreign election interference, and the third is slipping my mind. And I'm sorry, I can't remember what the third one is right now. You can blame it on my 10-month-old who keeps waking up at 5:00 a.m.

Mr. Gaetz. No problem.

Was there a particular reason you prioritized this pillar?

The Witness. It was of great concern to the Department at the time. And,

frankly, for me, it was an issue that I think cuts across the political noise. It's an issue that matters to all Americans. And I thought it would be, to some degree, low-hanging fruit, that we could convene, you know, nonpartisan researchers about these issues and show kind of proof of concept of the board.

Mr. Gaetz. So you prioritized this pillar, it's safe to say?

The Witness. It was at the direction of Under Secretary Silvers and the three individuals who were kind of my bosses, so to speak.

Mr. Gaetz. And if you consulted with your notes or even your own memory, is developing all three of those pillars and giving the committee a response to what they were, is that something you would do?

The Witness. Can you be more specific, Congressman?

Mr. Gaetz. Sure. I'm trying to understand the direction you received from these co-chairs of the board, and what they were telling you about these pillars seems pretty foundational. You took action on the irregular migration pillar. I think we're going to talk later today about the foreign election interference pillar. And I just wanted to understand what the third one was.

And so I understand you're coming off of low sleep with a 10-month-old, and I don't expect you to remember every single thing. But if it was something you were able to consult your notes on and let the committee know, that would alleviate the need to have another in-person --

The Witness. Right.

Mr. Gaetz. -- get-together.

The Witness. Understood. Congressman, I actually don't have my notebook anymore. I had to give it back to the Department because of some pending legal matters when I left the Department. So they requisitioned everything of mine what I

left. So I can't consult those notes anymore.

Mr. Gaetz. Okay.

Thank you very much.

The Witness. Uh-huh.

Mr. Biggs. Can I -- or you --

Chairman Jordan. Go ahead.

Mr. Biggs. Talking about this partner engagement, I noticed from the memo -- well, you didn't even see it before you -- well, until probably after you left, but it talks extensively about working with private entities, partner engagement, et cetera.

I wanted to know what, in your mind -- it's obvious to me, from your testimony, that you contemplated that, because that's your background; you were going to work with private entities. How extensive was that going to be? What, in your mind, going into the job, did you think this was going to look like, with your engagement with private partners?

The Witness. Congressman, actually, before I went into the job, my understanding was that the majority of my work was going to be intra-DHS coordination. And, certainly, even after I had been in the job for a few weeks, that was the majority of my work.

So I wouldn't even say that that was the priority on my plate. It was one thing that we were attempting to do, but it wasn't the main priority for me as Executive Director of the board.

Mr. Biggs. So were you going to be working, though -- I mean, your first meeting was with irregular migration, and he had a lot of, sounds like, a lot of private entities, NGOs, et cetera, coming in.

I would assume that, dealing with these other pillars, that you were going to have

extensive, again, working -- bringing them in and trying to interface with DHS personnel?

The Witness. Well, so, Congressman, I would kind of -- respectfully, I don't agree with the premise there. So it wasn't extensive. The meeting never went forward. And I think I sent out, again, a couple of informational queries about whether they would be interested in participating in such a roundtable. But we never set a date. Nothing really went forward.

So it's hard for me to speculate about what the activities of the board would've looked like, because it didn't end up going forward. To some degree, you know, this --

Mr. Biggs. But --

The Witness. Go ahead.

Mr. Biggs. Yeah, I don't want to talk over you, but, I mean, whether it's speculative or not, I'm trying to get to your frame of mind when you were going in --

The Witness. Uh-huh.

Mr. Biggs. -- and how it intersected with the expectations according to this memo.

And so I wanted to know primarily what you thought your relationship was going to be, since you're coming in from -- and you testified to a rather extensive network of sources and colleagues that you knew in the world that did this type of thing.

Did you not anticipate working with the private sector, bringing them in, interfacing with DHS so they would get a better understanding, for instance, like, in the irregular migration disinformation space?

The Witness. Sure.

I mean, as I said, Congressman, the majority of the work that I expected to do was intra-DHS coordination. And it took up the majority of my time. As anybody -- as I'm sure you all know -- you have a lot of experience with government -- it's a lot of red tape

and a lot of emails and a lot of, you know, making sure that you get face time with email people so you can build up those equities. And that was all intra-DHS stuff.

The external stuff, as I saw it, was icing on the cake.

And I would also just note that this was not a document I was working from.

Mr. Biggs. Sure.

The Witness. I was working from the charter. And the charter clearly lays out that the majority of the work that the board was to do was intra-DHS coordination.

Mr. Biggs. Okay.

So I just want to sum up what I'm hearing, and you tell me if I'm all right.

The Witness. Sure.

Mr. Biggs. You viewed any exterior -- anything exterior-facing to be just something that was going to be something that would be extra benefit; it was not the primary focus of your job. Is that fair to say?

The Witness. That's correct.

Mr. Biggs. Okay.

Chairman Jordan. The board is recommended on this September 13, 2021, memorandum. The decision to form it happens several months later, February 24, 2022. You get hired the following week, March 2nd. But it's not announced until April 27th, almost a month and a half later.

Is there a reason why that was the case?

The Witness. Yes, Congressman.

I worked for the entire 10 weeks I was in -- well, I suppose 8 weeks before the announcement. I was there trying to get the board announced, trying to get it announced transparently, trying to come up here and brief all of you, trying to get a fact sheet out.

And, unfortunately, my recommendations for how to announce and roll out the board were not taken under consideration. And that's the cause of the delay.

Chairman Jordan. And, again, what were your recommendations for how it should've been rolled out?

The Witness. A fulsome rollout plan that would've encompassed pre-briefs with decisionmakers on Capitol Hill on both sides of the aisle, meet-and-greets across the interagency, releasing a transparent fact sheet about the work that we were meant to do, and potentially doing calls with industry, with think tanks, with academics, with folks around Washington who work on these issues to make them aware of the efforts.

Chairman Jordan. And who made the decision not to follow that plan?

The Witness. Sorry?

Chairman Jordan. Who made the decision not to follow the plan you just articulated?

The Witness. I don't know for sure that it was any one person. Yeah.

Chairman Jordan. It gets announced on the 27th. Did your outreach to Twitter happen prior to the 27th or after the 27th? You told me earlier it was in April.

The Witness. I believe it was prior to the 27th, Congressman.

Chairman Jordan. Okay.

Can I go to the memorandum for a second?

The Witness. Uh-huh.

Chairman Jordan. And I know you now have some familiarity with it.

I want to look at the first -- the very first sentence says, "The spread of disinformation presents a homeland security risk."

The Witness. Sure.

Chairman Jordan. Can you define "disinformation" for me?

The Witness. Well, it's interesting that you bring that up, Congressman, because there's kind of a, I would say -- not necessarily a difference of opinion within DHS of what constitutes disinformation, but CISA has one definition, and one of the things that occurred to me while I was at DHS is that different entities were dealing with different definitions. So that was one of the things that I had hoped to work on.

But, as you can see, the CISA definition is -- well, they haven't footnoted it here, but -- false information that is intentionally or inadvertently injected into the information environment --

Chairman Jordan. But I want to know your definition.

The Witness. My definition?

Chairman Jordan. Yeah. I know what they did. It's the only footnote in the five-page memorandum, and it says that disinformation is anything that they deem false.

The Witness. Okay. That's fair. Yeah. Well -- so --

Chairman Jordan. But we have these -- we have mis-, dis-, mal-. It seems to me, if disinformation is false information, why not just call it -- any false information is what we're concerned with? But that's not what you do -- that's not what they did.

The Witness. Uh-huh.

Chairman Jordan. So tell me how you define it.

The Witness. So the definition that I use in my research -- which, again, is not necessarily a definition that I would've used at DHS, because I wasn't acting in my personal capacity --

Chairman Jordan. Uh-huh.

The Witness. -- is, disinformation is false or misleading information spread with malign intent.

Chairman Jordan. Okay. And then --

The Witness. And that is an agreed-upon academic definition that many researchers use.

Chairman Jordan. Okay.

Then what is misinformation?

The Witness. Misinformation is information that is false or misleading that is not spread with malign intent.

So they might be your crazy aunt or uncle at the Thanksgiving dinner table who likes to traffic in conspiracy theories. That's the example that I usually give. They don't mean any harm.

Chairman Jordan. Okay.

And then what is mal-?

The Witness. Malinformation is information that might be true that is injected into an information environment with ulterior motives.

So a good example is when there are hack-and-leak operations that are created by or perpetrated by a foreign government and that information is released into the information environment with ulterior motives.

Actually, a great example happening right now, with the release of the hacked material from DOD around Ukraine. There is, you know, a question if some of that has been altered. And that I would call malinformation.

Chairman Jordan. So the definition here in the footnote doesn't seem to be accurate, according to what you just described. Is that fair?

The Witness. Well, again, Congressman, I think there's room for disagreement. I did not work off of this memo.

Chairman Jordan. Well, I'm just looking at the -- I'm just looking at the footnote. "The term 'misinformation' will be used to reference mis-, dis-, or malinformation that

refer to false information."

The Witness. Uh-huh.

Chairman Jordan. So it's saying they're all false, and you just told me malinformation is actually true information.

The Witness. I would disagree with the way that this footnote has been phrased, yes.

Chairman Jordan. Okay.

Mr. Issa. So would it be fair to say that DHS wasn't using what you earlier described as agreed on within the research community as definitions?

The Witness. I think that would be fair to say. I think one of the reasons to socialize ideas like this and have roundtables is to kind of hear that variety of views. And at least in this particular instance -- and I can't speak to every use of the term that DHS is using, but I think this is overbroad.

Mr. Issa. During your tenure, did you make efforts to standardize these definitions or educate people in a way that you did here with us today?

The Witness. Yeah, Congressman. One of the things that I really wanted to do was convene a working-level kind of away day or, like, little -- it wouldn't have been away; it would've been at DHS HQ -- but a little meeting with working-level staff to kind of talk through what they viewed as the definition and come to a shared understanding of those issues.

Mr. Issa. Chairman, if it's okay to continue for a second?

Your background in education and research is basically on the Eastern European countries in which Russia had used disinformation --

The Witness. Uh-huh.

Mr. Issa. -- misinformation, malware, and actual cyber attacks to affect elections.

Is that correct?

The Witness. Primarily, yeah.

Mr. Issa. And so, when you came to DHS, did you feel that you were hired to a great extent because of that expertise?

The Witness. I can't really speak to that, Congressman. I --

Mr. Issa. Did you expect to use that background?

The Witness. Well, certainly, given the timing -- I started just a few days after the full-scale invasion of Ukraine -- I thought it was going to be a pretty significant issue during my tenure, yeah.

Mr. Issa. And was it?

The Witness. I can't speak to whether it might've been. During the 10 weeks that I was there, as I testified, my primary objective was to get the board announced, so I was dealing with a lot of bureaucracy.

Mr. Issa. During those first 10 weeks, actual Ukrainian-related, Russian-generated, or other parties on their behalf, disinformation, misinformation, malware -- how much of it did you see? And could you give us some examples of what you saw and reported or worked on either in your individual capacity or as sort of the herder of cats?

The Witness. My cat will be proud, sitting at home today.

So there was an intra-agency -- or, sorry, an interagency Ukraine response group -- it might've been called something else; I am forgetting the exact terminology that we gave it -- that was headquartered at DHS within CISA. And I was a member of that working group that held weekly kind of calls for across the interagency to kind of coordinate the administration's response to the Ukraine crisis and the disinformation that we were seeing.

So I attended those calls and sometimes piped up as a subject-matter expert, but I wasn't spearheading any initiatives -- yeah. That was kind of the only Ukraine-related work that I did during my tenure.

Mr. Issa. And just as you published your book, you did an extensive interview with direct-quote questions and answers, and you opined significantly on the previous administration, the Trump administration, praising Putin, things that were not helpful. Do you remember that?

The Witness. Can you be more specific about the outlet at least? I do a lot of interviews, Congressman. I'm sure you do too.

Mr. Issa. This one was an alumni bulletin from B-r-y-n, M-a-w-r.

The Witness. Oh, Bryn Mawr College.

Mr. Issa. They put it on two different lines for some reason.

The Witness. I don't recall the specifics of that interview, but -- and I'm also not sure how it's pertinent to the subject at hand related to the DGB's activities.

Mr. Issa. Well, you know, you've made a number of statements, and I just want to sort of -- because you characterized a number of statements, you've said things about "premier" and "nonpartisan." For example, the NDI, which you were with, your characterized it as working, and you named Belarus, a couple of Eastern European countries.

The Witness. Uh-huh.

Mr. Issa. Isn't it true the NDI is a global operation, operations in, I don't know, probably 70 countries, 50 countries, something like that?

The Witness. I think NDI, yeah, has field offices around the world.

Mr. Issa. And isn't it a partisan Democrat organization by definition?

The Witness. No, Congressman. And I think NDI would definitely respond to

that in a very prickly way.

Mr. Issa. Well, isn't it an organization that hires executive directors who have been Democrats, as does the Republican equivalent? Because there are two of those organizations, both nonprofit, both doing the same work, but a partisan divide, in that, even though they work together around the world, they are in fact -- their boards and so on are partisan in nature.

The Witness. Congressman, again, I'm not sure about the pertinence of NDI's work to the Disinformation Governance Board.

Mr. Issa. No, no. I asked you a question of, did you know that or --

The Witness. Of course I -- I know that the executive directors are partisans, but the individual staff are not, and the way that the work is carried out is not --

Mr. Issa. No, no. I'm just asking because you characterized -- I didn't characterize it. I was just listening. You said, you know, "nonpartisan organization," et cetera.

You know, I just want to understand -- you've used the word "nonpartisan" and "premier" and, you know, the Wilson Institute, obviously which is by definition a government entity for a former President. And, you know, I accept -- I heard that; I understand it. But, you know, you worked on the campaign of President Biden. That you would characterize, I assume, as a partisan operation?

The Witness. Certainly.

Mr. Issa. Okay. And your appointment was by people who had been chosen by the President who were partisans by definition?

The Witness. Yes.

Mr. Issa. Okay. So you did receive a partisan appointment from people who were partisan, and you have worked in a partisan capacity.

I only ask that because, in your research or background, you've dealt with a lot of facts on the operations of Russia and disinformation, but, at least in some of the online things, including right from your Wikipedia, where that alumni interview is a footnote, you appear to have very strong feelings about President Trump being not helpful, that administration being involved in not dealing with disinformation, by whatever definition. And you came into this administration more than a year into it.

I just wanted your impression of, you know, if you feel that that's just a nonpartisan, objective feeling, that, based on your expertise, Trump is bad and Biden was better?

The Witness. Again, Congressman, I don't think that there is pertinency here related to the activities of the Disinformation Governance Board --

Mr. Issa. We're trying to understand your conduct at the board. We're not just researching some board that barely launched. We're looking at a board that appointed you as a partisan, by a partisan, and began its process -- you know, for example, when you were bringing people together on irregular migration, "irregular migration" is not a term that was broadly used in the previous administration. Some would say it would be highly partisan information.

And when we asked you who you invited, you couldn't name one person, even though you said you researched for the scholars that were the best who had written on it. Can you remember even one of those names now?

The Witness. Congressman, the past year of my life has been a really difficult one. I gave birth a few weeks after I left government, and over the past year I have been subject to threats, stalking, and a number of other really stressful and difficult situations.

So, in addition to the sleep deprivation that I faced, in addition to the emotional

and security threats that I have faced over the past year, a lot of these details are slipping my mind, and I apologize for that.

I would just like to put on the record that the board never had any operational authority. It did not have the intention to arbitrate, oversee, restrict any thoughts. Everything that you've heard about the board related to it being a, quote/unquote, "Ministry of Truth," is a lie.

And, Congressman, I think if you'll look at my scholarship at the Wilson Center, through which I've, by the way, briefed Members of Congress on both sides of the aisle -- I was a witness at the request of Senator Grassley in 2018, so, clearly, some Republicans thought I was getting something right -- my scholarship has been about arming people with truthful information, not taking away their right to free speech. And if that had been part of my job, I never would've taken the job, and I would've spoken out against that.

So I assure you, Congressman, that, whatever my political opinions might be, as I am entitled to as an American, me expressing my First Amendment rights, they would not have come into question during my work at the Department of Homeland Security.

[11:02 a.m.]

Chairman Jordan. When you were hired on March 2, 2022, was there any type of announcement around your hiring?

The Witness. I don't believe so, Congressman. DHS has a lot of internal communications issues. It took a week or so before there was an announcement to the kind of Policy staff.

BY [REDACTED]

Q Going back to the memo, the Silvers memo, on page 2, the second bullet, it states, "DHS should not attempt to be an all-purpose arbiter of truth in the public arena. It should instead focus its efforts on disinformation impacting DHS core missions."

A Uh-huh.

Q During your tenure at DHS between March and May, what did you understand DHS's core missions to include?

A I understood them to include any issues related to the portfolio of DHS components. So to list them: FEMA, CBP, CISA, et cetera, et cetera -- anything relating to those core components.

Q And during the lead-up to this rollout that you were working on during the weeks that you were at DHS, how were you focusing the efforts of the DGB on the core missions of DHS?

A At that time, I was attempting to understand how the Department was working, so was doing meetings with counterparts across the agency to understand the work that they were doing, if any, related to countering disinformation.

Q Uh-huh.

We have about 4 minutes left, if any members have questions.

Mr. Gaetz. We may have to return to the subject in our next hour, but I wanted

to better understand what you understood the goals to be of the second pillar, the election integrity pillar.

The Witness. Well, Congressman, as I think you'll be aware, the Cyber and Infrastructure Security Agency, CISA, has quite a robust portfolio already, and, as I saw it, I didn't want to touch very much of what they were doing. I think they were doing a good job, work that was started under the Trump administration, and I just wanted to support however I could. And, in that case, it might be sharing best practices between CISA and other entities or --

Mr. Gaetz. Like, what type of other entities?

The Witness. FEMA, for instance. So you might not know this, but FEMA actually was the agency within DHS that started the rumor control program around Hurricane Sandy. So FEMA directors understood that Americans were being lied to about disaster relief or emergency protections and things like that, and so they started piloting this program to get out good, truthful information. That's where CISA got that idea.

So kind of creating those linkages was something that I wanted to do and to make sure that there was information-sharing and kind of resource-sharing across the Department.

Mr. Gaetz. And how would that apply in the enterprise of election integrity?

The Witness. It's hard to speculate, because, as you know, every election is quite different, but -- yeah, I can't really speculate based on --

Mr. Gaetz. Who told you about the second pillar?

The Witness. Again, the three pillars were laid out by Silvers et al.

Mr. Gaetz. Great.

I'm sure we'll have some more questions about that in our next hour, but I think

our time has elapsed.

██████████ We'll go off the record. Thank you.

[Recess.]

██████████ We can go back on the record. It is 11:32 in the morning.

Thank you again --

The Witness. Uh-huh.

██████████ -- for joining us today.

EXAMINATION

BY ██████████

Q We talked through earlier how the board was structured, the hierarchy. I want to look a little more closely at how the board intended to support DHS components and how it was structured to do that.

A Sure.

Q So I want to turn back to that September 20, 2021, memo, which I think is exhibit 2. And on page 3 through 5, there's a section that's entitled "Models to Structure DHS Counter-Disinformation Efforts," and it provides different options for how to structure these efforts.

And I know you didn't participate in the drafting of this memo, but you've had the chance to review it, and have you had a chance to review these models?

A Yeah.

Q Okay. So Option 1 describes the, quote, "fully federated model." What's your understanding of that model?

A That is how DHS operated prior to the creation of the board and, I suppose, how it operates today, with each of the components executing their missions fully independently.

Q Okay. And so the components would have operational authority over any disinformation-related work and it would just kind of be decentralized?

A Yeah. The decentralization is, I think, the key component there, that there would be no central coordinating body at all.

Q Okay.

And then Option 2 is the governance board model, right?

A Uh-huh.

Q So I want to read just the first couple sentences of that section.

It says, "Execution of DHS counter-disinformation operations would be federated to components, but subject to overarching Department-wide governance requirements to ensure that a common set of issue-agnostic safeguards and oversight tools are employed. PLCY could convene a governance board that would promulgate policy and legal requirements setting forth baseline requirements that all components must meet in their counter-disinformation work, to include protections ensuring compliance with applicable civil rights and civil liberties, privacy, and legal requirements, such as First Amendment and Privacy Act requirements."

A Uh-huh.

Q So can you explain broadly how this model was intended to work?

A Yeah. So the idea, as I understood it -- and, again, I was working from documents, not this one, from later documents -- was that one of the main issues at hand for the board would be to ensure that Americans' civil rights, civil liberties, and privacy were always being respected as a matter of first course during all of the board's work.

That's not to say that that's not happening, but we wanted to put guardrails on so that, for future administrations, for anybody down the road, it was clear, in black and white, about what was potentially -- what was allowed with regard to this stuff.

Because I think, you know, people have concerns, right, about how the government might be operating in this area. And they're right to have those concerns. I understand those concerns. And we wanted to put those concerns to rest.

Q And so those guardrails would actually potentially limit the components, correct?

A That's correct, yes.

Q Okay.

And their use of the word "governance," I think, is maybe mysterious to people and maybe a little misleading. What's your understanding of what governance means?

A Right. Governance is just making sure that people are following rules within DHS. The idea of the board was not to govern the internet. It was to govern components and their decisionmaking around countering disinformation.

Q Okay.

And on the next paragraph of that, it says, "The board's role would not be prescriptive, instead providing components with guidelines and minimum safeguards applicable across disinformation missions."

And it says, "The board could also develop and share with components best practices."

A Uh-huh.

Q What's your understanding of what that says? And, particularly, what does "not be prescriptive" mean?

A Right. So we wouldn't be saying to CISA, here's what you're going to do related to disinformation in the upcoming election. We would be saying things like, you know, best practices around countering disinformation have to do with media literacy, and here's how you build media literacy in a population.

Again, these are speculative, and I wouldn't say that that's necessarily the road that we would've gone down, because the board didn't go forward. But that's the understanding that I had, as an example.

Q Uh-huh.

And you've used the word "best practices" a couple times. Again, for kind of the layman who's not in the academic world, what does "best practices" mean?

A So, to me, that is the tried and true, tested tactics that other governments or institutions have used with success to counter disinformation.

So I would look -- in my research, I have looked to countries in Central and Eastern Europe that are a little bit ahead of us in recognizing the threat of disinformation. They've been dealing with it for many decades. Some countries in the Nordic space have done this as well. As I mentioned before, the U.K. So, like, looking to places that have tried this out.

Looking at organizations that have tried this out as well. Because there are some in kind of the nongovernmental or kind of tertiary space that have done some work in this area that has sometimes failed, right, and we want to make sure that we didn't repeat those mistakes.

Q So, just to put this kind of into my words, the idea behind the best practices would be to gather up examples of how other entities or other nations have successfully countered disinformation and offer those to components who are already doing this work to help them be more effective --

A Yeah.

Q -- or more efficient?

A Precisely.

Q And, again, under at least the board as suggested through this September

memo, which, again, you weren't involved with, that would be -- it would not be prescriptive. It would be suggestions, but not, like, mandatory guidelines?

A Correct. The board had no operational authority.

Q Okay.

So the third paragraph -- and I think this is perhaps confusing to people, so -- says that when a new disinformation threat emerges, the board could determine who within the Department is best positioned to address the threat, make recommendations to the Secretary as to how the new threat should be addressed, and support whichever operational component is taking on the mission in standing up with appropriate governance.

A Uh-huh.

Q Could you explain what that means or what your understanding was of that section?

A Right. So, again, DHS -- big, big agency. Sometimes things might not be as clear-cut as we would like them. So there could be -- again, spit-balling -- a disaster that also affects critical infrastructure, and, in that case, we probably would've tapped FEMA and CISA to respond, right? But just understanding whose portfolio this is within and who needs to then stand up.

Sometimes, as happens with all large Federal agencies, there could be duplication of effort or somebody thinks somebody's doing something but they're actually not and then nothing happens. And the idea here was to make sure that we would be able to respond quickly and with the appropriate resources.

And responding, I should add, doesn't necessarily mean, you know, anything nefarious. It often would just mean putting out good, transparent information from an official source so that people knew where to look.

Q Okay.

And then, moving on in that memo, there's a third option listed, right? I think it's called a Coordinator for Countering Disinformation.

A Uh-huh.

Q And what's your understanding of what that would have entailed?

A Yeah. This is not something I discussed, really, with anybody at DHS, so my knowledge is just what the words on the paper are.

Q Okay. And I think it says that that would have a more centralized role than even the Disinformation Governance Board, right?

A Yes.

Q So the Disinformation Governance Board model was actually, like, the middle of the three options?

A Yeah, as presented here in --

Q Right.

A -- you know, traditional decision-memo style.

Q Right. Exactly. And, again, you didn't have any role, so I --

A Correct.

Q -- think the better person to opine on that would probably be somebody who had a role in that.

A Uh-huh. Uh-huh.

Q Okay.

So we've gone through the memo, which is from September, before I think you were even in conversations about the Department.

A Right.

Q So I want to actually look at the charter establishing the board. Because

you're familiar with that, right?

A Yes. That is the document that really guided my work.

Q Okay. So we're going to introduce this as exhibit No. 3.

[Jankowicz Exhibit No. 3

Was marked for identification.]

BY [REDACTED]

Q And do you want a minute to look through it again?

A Sure.

Q Okay. So we've talked about operational responses a little bit, and that's mentioned in the first paragraph. It says, "Whereas Department Components will lead on operational responses to MDM in their relevant mission spaces."

A Uh-huh.

Q Can you explain, again, kind of break it down, what is an operational response?

A Sure. So the operational responses are actually doing things.

Policy -- as with every government department, a policy office makes recommendations, sets guidelines, but it's actually the operational components -- in DHS-speak, the CISAs, the CBPs, the FEMAs -- that are doing stuff.

They are communicating with the public. They are, you know, deciding when it's time to take action, whether that is within the counter-disinfo space or otherwise. They are the ones who have decisionmaking authority, and they're the ones who are actually doing the work.

Q Okay.

And Department components, you said, are FEMA and -- and Policy is -- is Policy considered a component of DHS, or is it --

A Technically, I believe it is, but, again, it doesn't have operational authority.

Q And the components that were engaged in operational responses, as you put it, they've been doing that for a long time?

A That's correct.

Q Okay. So this wasn't changing anything in that structure?

A That is correct.

Q Okay.

And it says that the board will ensure that DHS efforts are coordinated, deconflicted, and harmonized.

A Uh-huh.

Q What's the -- can you explain what that means and also what the purpose of that would be?

A Sure.

So, as I mentioned before, a lot of different entities within DHS that don't always talk to one another. I think, you know, on some calls we had folks from FEMA who had never met their counterparts in CISA, for instance.

Q Uh-huh.

A And I keep using those because they are some of the kind of more robust components in the counter-disinformation space. And there is great value in bringing those people together to say, here's what we're working on, here's how we do it, here's how we can help one another. And so that's the coordination.

Deconfliction: We don't want to, you know, have the government doing things that are at cross-purpose. We don't want to have the government, let alone, you know, two components of the same agency, talking to externals and saying different things or, you know, saying the same thing in two different ways, that sort of thing.

And harmonizing: Making sure that we're all marching to the beat of the same drummer, to kind of mix my metaphors a bit.

Q Uh-huh.

And then, on the following page of the charter, so it's -- I don't think it's actually numbered, but it's Section 4 --

A Uh-huh.

Q -- is what we're going to look at. It says, "Board Responsibilities."

A Sure.

Q And I want to go through these one by one and clear up any kind of confusion that might be out there about what the actual responsibilities of the board might be.

A Great.

Q So it says, "The initial responsibilities will include a review of existing MDM governance policies and practices across the board."

And we talked through your understanding of the term "governance" and "governance policies."

To your eye, does this contemplate just solely an internal-facing review?

A Absolutely.

Q And the value of that review would be to examine what all the components were already doing?

A Correct.

Q And figure out exactly all the moving pieces?

A Yes, that's right.

Q Okay.

The second one says, "Based in part on the findings from initial review, the board

will be responsible for developing MDM-related guidance, best practices, and recommendations."

A Uh-huh.

Q And we talked through this in respect to the September 13th memo just a couple minutes ago. But, again, that would be kind of the guardrails that you were describing for the components?

A Yes.

Q And that was to make sure that they were adhering to First Amendment protections, for example?

A Correct.

Q Okay.

And then it says, "The Board will coordinate, deconflict, and harmonize Departmental efforts to address MDM, including by receiving regular and routine updates from components and harmonizing and deconflicting activities."

So the value of this was, again, to put everything under one umbrella?

A Yes.

Q Okay. And that was primarily internal-facing, but it does contemplate some external points of communication.

A Uh-huh.

Q And was that already ongoing? Were there already external stakeholders reaching out to DHS?

A Yes, to my knowledge, there were.

Q And was there sometimes confusion about how that worked?

A Yeah. I think, from what I was told, there was sometimes confusion from external partners about who they should go to if they had a question related to DHS

components and their portfolios.

Similarly, there was sometimes embarrassment from DHS components when somebody internally had approached an external stakeholder when they had already been approached by someone else elsewhere in the Department.

So the idea was that kind of central belly button.

Q Okay.

And then the paragraph references procurement guidelines.

A Uh-huh.

Q So the board was just going to establish guidelines for the components to follow, right? It wasn't going to be doing any procuring?

A That is correct. We did not have a budget.

Q Okay.

So you referenced earlier kind of the -- sorry.

You got a letter from Mr. Jordan on March 1st of this year. Do you recall that?

A I don't recall that specific letter.

Q We're going to introduce it. And this will be exhibit 4.

[Jankowicz Exhibit No. 4

Was marked for identification.]

BY [REDACTED]

Q Okay. So, on page 2, at the top of this, it asks you to explain how the board would collect information.

Did the board have any authority to collect information from external stakeholders?

A It did not.

Q Okay. And, to the extent you were collecting -- we kind of talked through

the charter just now -- you were looking at existing practices and policies internally, right?

A That's correct.

Q So the sole collection of information was internal-facing, not external-facing?

A That is correct.

Q Okay.

On the -- actually, sorry, taking a step back --

A Uh-huh.

Q -- in the first hour, you made a reference to kind of the "Ministry of Truth" and the allegation that's been tossed around.

What's your understanding of what the "Ministry of Truth" refers to?

A It is a reference to George Orwell's "1984," to my understanding.

Q Okay. And what's your understanding of what the Ministry of Truth does in "1984"?

A It decides for the government and the people what is true and what is false. And, often, that goes against what is true and what is false in reality and is in, you know, the interest of the governing party.

Q Okay. To the extent that that term has been applied to the DGB, do you think that's an accurate description of what the DGB's purpose was?

A It bears no resemblance to the purpose of the Disinformation Governance Board.

Q Okay.

So, for example, as -- and I realize you were only there for a short time, but would the governance board have had any power to declare an internet post true or false?

A It would've had no power whatsoever to do that.

Q Okay. Would it have had the power to compel internet providers to take

any actions?

A No.

Q Okay. What about social media providers? Could it have told Twitter what to do?

A No.

Q Okay. And we've said three or four times it didn't have the authority to make any operational decisions at all?

A That's correct.

Q Okay. And, in fact, we have a lot of documents about the board that emphasize the importance of protecting civil liberties.

A Uh-huh.

Q I think in paragraph 2 of this letter, it says there are concerns that the board would misuse its official authority to censor speech under the pretext of addressing disinformation.

A Uh-huh.

Q I want to introduce as exhibit 5 a memorandum from Under Secretary Silvers to Secretary Mayorkas. And this was the section that governed the -- this was the memo that recommended adoption of the charter.

A Yes.

[Jankowicz Exhibit No. 5

Was marked for identification.]

BY [REDACTED]

Q Let me know when you're good to go.

A Go ahead.

Q So we highlighted a sentence in the middle that reads, "The Board's primary

roles are to develop and support the implementation of best practices, policies, and protocols that support the identification, assessment, response, and resilience to MDM threats, and that do so in a way that ensures respect for privacy, civil rights, and civil liberties."

A Uh-huh.

Q Can you explain -- the section about "ensures respect for privacy, civil rights, and civil liberties," how did you envision the board carrying that protection out?

A Well, one of the things that I think is pretty remarkable about this policy entity is that it actually included many members on the board itself and then at the leadership that were either lawyers or that worked for the Offices of Privacy, Civil Rights, and Civil Liberties at DHS. So, if you look at the charter, on page 1, the members include representatives from the Privacy Office, CRCL, et cetera.

That was not necessary, right? This was meant to help operational components and support their work. But the idea there is that these components -- Privacy, CRCL -- would be guiding the work to make sure that we were always in compliance, always thinking about those fundamental rights and freedoms that all Americans hold near and dear.

And, again, the big part of our work, as we saw it going forward -- work that was never realized -- was establishing those guardrails, so that when operational components were in the thick of it, they would have something to refer to to say, okay, like, let's think about how to do this to make sure that we are responding to this in a way that doesn't trample any of these rights or liberties.

Q Okay.

And I think you actually said earlier that one of the detailees that was assigned to the board was a Privacy detailee. Is that right?

A No, that's not correct. There were three lawyers -- two from OGC, the Office of the General Counsel, and one from CISA.

Q Okay.

A But three -- three lawyers.

Q Okay.

A Yeah.

Q Turning back to the charter -- and you actually just went through this. So it says, "With respect to each of these lines of efforts, the board will develop and support the implementation of governance, policies, and protocols that, among other issues, protect privacy, civil rights, and civil liberties."

So it's actually written into the charter.

A Yes. Multiple times.

Q Okay. And this is the charter that Secretary Mayorkas signed off on?

A Correct, and the one that governed every day for me at DHS.

Q Okay.

So, in the chairman's March 1st letter, the section I read earlier -- concerns that the board would misuse its official authority to censor speech -- we've talked through how the board wouldn't have had any operational authority whatsoever.

A Uh-huh.

Q Is it your understanding that DHS engages in censorship of speech now?

A DHS does not engage in censorship.

Q Okay.

And you mentioned earlier that sometimes, actually, you know -- well, what's your -- sorry. You said earlier that sometimes the best way to counter disinformation is actually to push out more information.

A Uh-huh.

Q Do you think it's ever appropriate to censor information in order to stop the flow of disinformation?

A I do not. And, in fact, I've written extensively about how we should not play what I call "Whack-A-Troll," which is removing content from online platforms in order to respond to disinformation. It doesn't work. It's proven not to work. And, in fact, we need to add more context, invest in media literacy, invest in the health of our information environment.

Q Okay.

Mr. Ivey. While she's flipping through, let me ask you quickly, still on exhibit 4 --

The Witness. Sure.

Mr. Ivey. -- this language about "misuse of its official authority to censor speech," would you have accepted the position if you thought it had anything to do with censoring speech?

The Witness. No, Congressman, I would not have.

Mr. Ivey. And why is that?

The Witness. Without getting too much into my personal backstory, my grandfather was a refugee from the Soviet Union. His family was deported from Poland to a gulag in 1940 and came to the United States as a refugee from communism to live the American Dream. So my family is very familiar with what it's like to be in an oppressive, authoritarian environment.

And aside from that personal backstory, I have worked for the freedom of expression and freedom of press for people in Russia, Belarus, Ukraine, who, again, have very personal experiences with what it's like to not be able to speak freely.

And I believe that it is one of the main things that sets the United States apart,

that freedom of speech and freedom of the press. And I would never have accepted a job that had anything to do with censorship.

Mr. Ivey. Same with a Ministry of Truth kind of role?

The Witness. Correct.

Mr. Ivey. All right.

██████████ I don't have anything else, unless you do?

Mr. Ivey. Nothing that can't wait. We can stop now.

██████████ Okay.

I think we're done for our time right now.

The Witness. Great.

██████████ Thank you. We may have more questions on the next round.

The Witness. Okay.

[Recess.]

Mr. Gaetz. We'll go back on the record.

Ms. Jankowicz, I wanted to talk to you a little bit more about exhibit 5, the document my colleagues were referencing in their prior questioning.

And in the highlighted portion, it indicates that the board's primary roles would include the implementation of best practices.

The Witness. Uh-huh.

Mr. Gaetz. What are the best practices in countering disinformation?

The Witness. Thanks, Congressman, for that question.

As I testified just a few minutes ago, my view of the best practices in countering disinformation is that it is not extremely productive to fact-check, it is not extremely productive to remove speech.

The best practices, as I see it and that I've written extensively about, have to do

with building media literacy, have to do with communicating effectively and truthfully and making sure that there are official sources of information doing that at all times. And, essentially, that would be it, frankly, from the government point of view.

Mr. Gaetz. So, as I understand it, providing additional contextualizing information and enhancing media literacy.

The Witness. Those are the two primary recommendations that I stand on.

Mr. Gaetz. How does the government enhance media literacy in the information environment?

The Witness. So there are a number of activities that I can point to that the Cyber and Infrastructure Security Agency has engaged in. They have, for instance, I believe, developed games in the past that individuals can play to learn about how social media platforms work and how information gets to them. They have put out educational materials about how to spot bots online, things like that.

Sometimes the government is not the best messenger for these sorts of messages, I suppose, to be repetitive, and so there are instances where you might work with a third party to deliver those messages or give a grant to someone, for instance, to develop programs related to that sort of thing. That's just kind of hypothetical.

Mr. Gaetz. So the entity you work for now, does it receive one of those grants from the government?

The Witness. I'm not sure about the pertinency of that to the activities of the Disinformation Governance Board, Congressman.

Mr. Gaetz. Okay. Are you going to answer my question?

The Witness. Well, I've been advised by my counsel that I should answer questions that are pertinent to today's inquiry, and I'm not sure that that one is pertinent.

Mr. Gaetz. Okay. So, just so that we're clear for the record, you're refusing to

answer my question regarding whether or not the entity you currently work for receives a grant from any government?

The Witness. Well, with respect, Congressman, I understand your position, and upon advice of my counsel, I'm not going to answer that.

Mr. Gaetz. I just have a question, not a position. We'll resolve that later. I just want to make sure we have a clear record.

The Witness. Uh-huh.

Mr. Gaetz. The other feature of this memo is the discussion of policies and protocols that support the identification, assessment, response, and resilience --

The Witness. Uh-huh.

Mr. Gaetz. -- to these threats.

So what are the different ways the government can respond, specifically?

The Witness. Again, Congressman, the primary response that I think was envisioned is the putting out of more information. But that's pretty hypothetical because the board --

Mr. Gaetz. No, that's an answer to the question.

So it was never contemplated in any of the setup or administration of this board, takedown?

The Witness. Takedown is not something that the government can decide, so no.

Mr. Gaetz. And it was never contemplated to advise private entities on takedown practices?

The Witness. I would argue that the government does not do that today.

Mr. Gaetz. Your argument is that CISA doesn't ever encourage any takedown?

The Witness. I think -- again, pertinent to the activities related to the DGB, we

had no intention to take anything down.

Mr. Gaetz. Okay.

And pursuant to your understanding of this role and the work, in this interagency process that you describe in some detail, there was never the talk of how various features of disinformation would achieve reach or would be suppressed in their reach, was there?

The Witness. No, Congressman, there was not.

Mr. Gaetz. You mentioned that there are countries in Europe that are ahead of the United States on disinformation.

The Witness. Uh-huh. Yeah.

Mr. Gaetz. Which are they?

The Witness. Well, I've written pretty extensively about the ways that, let's say, Estonia has achieved more resilience in its society, in part through media literacy, in part through reducing polarization between the ethnic Estonian and ethnic Russian population, through building up their public media environment.

So that's one entity that I've written about pretty extensively --

Mr. Gaetz. When you say "public media," just so I understand the definition, is that government-funded media?

The Witness. In this case, yes. So there is an Estonian TV network called ETV Plus that provides objective information in the Russian language to the Russian-language population prior --

Mr. Gaetz. So you assess that when the government is funding more media that that creates a healthier information environment, in the case of Estonia?

The Witness. In the case of Estonia, but I kind of -- so the premise of your question is not something I necessarily agree with. There have to be safeguards in place to ensure editorial independence from publicly funded media.

Mr. Gaetz. But is public media an antidote or -- strike that. Is public media one of the tools that you're describing as a way to enhance media literacy?

The Witness. I wouldn't say that it's a way to enhance media literacy. It's a way to ensure that there is objective information available to the public.

Mr. Gaetz. But who decides what's objective?

The Witness. Well, Congressman, you know, I think, again, that's something to discuss perhaps with journalists, not with me, and it's not something that had anything to do with the activities of the Disinformation Governance Board. We had nothing to do with media or anything related to that, so I don't -- again, pertinency.

Mr. Gaetz. Well, I've been trying to -- the purpose of our oversight exercise is to understand what animated this interest in the Disinformation Governance Board and to what extent are those authorities still being utilized today. So how you thought about these various forms of resiliency are very important to us.

The Witness. Sure.

Mr. Gaetz. And so, if you think that one of the areas that enhances resiliency is the government engaging in the information space more with objective information, I'm trying to understand how you thought those assessments would be made.

The Witness. Well, again, with respect, Congressman, I don't believe that the government funding or investing in public media has anything to do with the government deciding what is or is not objective truth.

Mr. Gaetz. Who does, then, in public media decide what is objective truth?

Mr. Ivey. You mean in this particular instance or in general?

Mr. Gaetz. Well, in the case of Estonia. How about that?

The Witness. Again, Congressman, pertinency. If you'd like, you can read my book. Put in a little plug there. I don't believe that that's really pertinent, especially

given that DHS had nothing to do with public media. This is just -- you asked me about my personal beliefs, and I've given them to you.

Mr. Gaetz. Other than Estonia, which countries are ahead of us?

The Witness. So Sweden, for instance, has issued a bulletin to all of its citizens that describes how disinformation and informational warfare works. And they sent this out to all of their citizens, describing kind of, without naming Russia, how, you know, Russia has previously interfered in the Swedish information space and what to be aware of in times of crisis and how people manipulate media.

The U.K. has done quite a good job in especially the coordination in the response to disinformation. And that's something that I think certainly more countries could seek to emulate.

Mr. Biggs. Can I just --

Mr. Gaetz. Give me a moment, Andy.

So, wait. Are you a registered foreign agent of the U.K. now?

The Witness. Relevance?

Mr. Gaetz. It's relevant to your testimony.

The Witness. It is not relevant to the activities of the Disinformation Board, Congressman.

Mr. Gaetz. And in Sweden, the bulletins you just described, those are paid for by the government, right?

The Witness. I believe so.

Mr. Gaetz. Okay. So, in Estonia, what you referenced that helps most is public media with objective facts. In Sweden, what you referenced helps most is a government-funded information bulletin.

And you talked about the U.K.'s coordinative efforts. And then I'm asking you if

you're involved in those efforts by the U.K. Government to coordinate their response to disinformation. And you're refusing to answer that question?

The Witness. Congressman, if you want to look that information up, I think it's public record. But, again, I'm advised by my counsel that the committee may require me to answer all questions pertinent to the subject under inquiry, which is the activities of the Disinformation Governance Board.

If we turn to exhibit -- was this exhibit 4? -- this references "statements as a government official," right? So I don't --

Mr. Gaetz. Sure.

The Witness. -- I don't believe that my employment post-May 18th has anything to do with the object under inquiry today.

Mr. Gaetz. And you're here, as I understand it, voluntarily?

 No.

Mr. Gaetz. No. Oh, here under subpoena. Okay. Very well.

Mr. Biggs. I just want a point of clarification for the U.K. Because you did give an example of Estonia, what they're doing, and you gave an example of Sweden, but you didn't really -- I didn't catch, anyway -- maybe you did and I just didn't catch it -- give us information on what the U.K. is doing and why you think that's so --

The Witness. Yeah.

Mr. Biggs. -- you know, positive and successful.

The Witness. Sure.

So the U.K. has responded to the threat of disinformation in a nonpartisan manner, across political parties, number one.

Number two, they have --

Mr. Biggs. And I don't want to -- I shouldn't say "I don't want to interrupt you."

I do. I want to interrupt you because I just need clarification there.

The Witness. Uh-huh.

Mr. Biggs. Who has responded in a nonpartisan fashion?

The Witness. The U.K. Government. So I would say from the Prime Minister on down through Members of Parliament, but also the civil service in the U.K.

This is something that their government has come together to address and solve. And one of the ways that they've done that is through something called "fusion doctrine" in their National Security Strategy, which says, we're going to have kind of, as I've mentioned before, a belly button within government where we all come together where there's a disinformation issue at hand and we're going to work to solve it.

So an example of that: If you remember, in 2018, the Salisbury poisoning. They all kind of were given the bat signal, so to speak, and they all came together to put to rest the Russian disinformation that was coming out about these guys just being tourists and not there to poison a former double agent.

Mr. Biggs. Okay. So -- all right. Thank you.

The Witness. Uh-huh.

Mr. Biggs. I just wanted to clarify.

I just want to -- I want to go back to something you testified in the first hour.

The Witness. Sure.

Mr. Biggs. And I want to make sure I understand it, because, to be honest with you, it was the first I'd ever heard of it. And I didn't really get the name quite right. The interagency Ukrainian disinformation team -- whatever it was --

The Witness. I don't know what the name was either, Congressman.

Mr. Biggs. Something along -- about --

The Witness. Yeah.

Mr. Biggs. I'd never heard of an interagency -- what was your -- what was your role -- what was the Disinformation Governance Board's role in that? I mean, did you just learn about it because you were on the board? What was that about?

The Witness. That was just a coordination call across government, as I said, I think it was weekly, led by CISA, stood up before I got to DHS. I'm not sure exactly when, if it was directly before or just after the full-scale invasion began. But it was an opportunity for working-level staff to share what their agencies were doing with regard to the Ukraine crisis and share kind of information across government.

Mr. Biggs. And do you know what agencies were involved?

The Witness. It was pretty wide, Congressman, so --

Mr. Biggs. Like, within the Department of Energy, they might have had somebody there because of --

The Witness. I know for certain DHS, State were on the call --

Mr. Biggs. Okay.

The Witness. -- and I'm not sure about others. It was a wide -- again, went out pretty widely, invitation. It was just a Teams call, people phoning in, talking about what they were doing.

And you also -- I neglected to answer your question before about my role. I didn't have any convening role. I was just there as a DHS employee listening to the calls.

Mr. Biggs. Okay.

And then, before I give it back to you, just a couple more questions.

I want to go along the lines of what Mr. Gaetz was asking a little bit, because that -- and I had it exhibit 4, but it must be exhibit 5, so I probably messed up in marking those things.

Mr. Ivey. Is it this?

Mr. Biggs. No, no. I'm talking about this memo for the Secretary dated January 31st. Is that 2?

██████████ Oh, sorry. That's 5.

The Witness. That's 5.

Mr. Biggs. Okay, 5. So I messed up.

I just want to go over some stuff that Mr. Gaetz was talking about, because I want to make sure I understand this as well. Because the way I read that sentence -- which is a compound sentence, and they probably should've broken it up into two or three sentences.

But, in any event, you testified pretty extensively in the previous hour about the phrase "ensuring respect for privacy, civil rights, and civil liberties." And then Mr. Gaetz asked you a few questions. And I want to make sure that I'm getting down to beyond the 30,000-foot level to make sure I understand what's actually going on there.

The primary role is to develop and set forth implementation of best practices.

The Witness. Uh-huh.

Mr. Biggs. How would you develop that? And then how would you support what those best practices are? And who would you be working with?

The Witness. Sure, Congressman. So I can speak to the 10 weeks I was at the board, in which some of this work did begin.

As is, I think, in the charter -- yeah -- it talks a little bit about initial review. So one of the things, as I testified earlier, that I did was speak extensively to my colleagues across DHS about the work that they were doing and tried to develop some recommendations about where we saw gaps and where individuals could use potentially more support, more training. We spoke a little bit about the lack of unified definitions in DHS, right?

So we were putting together a work plan that never went anywhere, never got approved, that included --

Mr. Biggs. Can I interrupt you for that?

The Witness. Uh-huh.

Mr. Biggs. I'm wondering if you were able to actually develop a work plan within that 10 weeks where you actually had a completed document, an idea.

The Witness. No, Congressman, we were not.

Mr. Biggs. Okay.

And somewhere I was reading some documents that maybe CBP was a little bit further behind in its interpretation of -- what are we calling this -- MDM.

The Witness. Uh-huh.

Mr. Biggs. Is that fair to say?

The Witness. I would say yes. CBP approached the problem as a communications issue, and it's not only a communications issue.

And this is something -- to kind of tie it back to what we were just talking about, other governments understand that it's not an issue of just saying the right thing; you've got to walk the walk and talk the talk.

Mr. Biggs. Okay.

So I -- you went through this, but I just want to, if we can, maybe expand on it just a bit.

You were developing protocols that supported the identification of MDM.

The Witness. We did not develop any protocols supporting the identification of MDM during my time there.

Mr. Biggs. Okay. How did you envision that? I mean, you went in with kind of a vision, some idea of what you would want to do there. How did you envision

establishing those protocols regarding identification of MDM?

The Witness. So, Congressman, that wasn't really at the top of the list for me while I was there. I thought there was some pretty big gaps in terms of the understanding of the concept. And so, to get to identification, you first have to kind of have an agreement about what you're talking about. You can't say that something is a bear if you don't know what a bear looks like. So that's where we were.

Mr. Biggs. So I'm asking you about your vision. I mean, you've talked about, in response to Democrat counsel -- she specifically asked you how did you envision ensuring respect for privacy, civil rights, and civil liberties, and you had a pretty concrete response to that.

So I'm wondering, how did you envision developing -- I mean, developing these protocols regarding identification, assessment, response, and resilience. I mean, so each one of those.

The Witness. Sure. So I think this work, it's important to understand, was going to be iterative, right? So what happened at the first board meeting was going to affect, necessarily, the steps that we took beyond that. And there never was a first board meeting.

Mr. Biggs. Uh-huh.

The Witness. The way that this would work, as was laid out in the charter, would be conversations with relevant components. So, relating to identification, I&A would likely be the -- Intelligence and Analysis would be likely the entity that did that.

In complete transparency, I had the fewest amount of conversations with I&A during my time there. And so we would understand the work that they were doing to do some analysis and identification of potentially harmful disinformation narratives with a nexus to homeland security and make sure that they had those guardrails on that I

mentioned before.

In terms of the other pillars, one was resilience, right? Well, we've talked about that already --

Mr. Biggs. I think that was it, but -- yeah. So we'll get back to this. I'm going to turn it back over.

Mr. Gaetz. You described an interagency process, and so I just want to make sure that my questions aren't stovepiped just to the Disinformation Board.

But in any of these interagency meetings you had or in any communications you had with anyone in the government during your time in the government, did you ever see information targeted that dealt with the origins of COVID-19?

The Witness. No, Congressman.

Mr. Gaetz. Did you ever see any information targeted that dealt with vaccines?

The Witness. No, Congressman.

Mr. Gaetz. Did you ever see any information targeted regarding racial justice?

The Witness. No, Congressman.

Mr. Gaetz. Did you ever see information targeted regarding the U.S. withdrawal from Afghanistan?

The Witness. No.

Mr. Gaetz. Did you ever see any information targeted regarding the nature of U.S. support to Ukraine?

The Witness. It's possible that I saw information related to Ukraine during the interagency working group on Ukraine, yes.

Mr. Gaetz. How often did that working group meet?

The Witness. As I said, that was about once a week. But it wasn't about support for Ukraine per se. It was about sharing information about what individual

departments were doing with relation to Ukraine.

Mr. Gaetz. What can you remember about what those departments were doing?

The Witness. It was very early on in the -- after the full-scale invasion. So, at that juncture, it was a mostly information-sharing working group. And it was stood down before I left DHS. So, didn't meet very frequently and then was stood down.

Mr. Gaetz. What was the reason for it being stood down?

The Witness. At that time, the interagency assessed that there weren't exigent threats to the information space surrounding Ukraine in the United States. So we would just continue on our kind of individual departmental responses. The working group was kind of seen as superfluous.

Mr. Gaetz. Were the meetings recorded?

The Witness. I don't believe so, Congressman.

Mr. Gaetz. Were you aware of if anyone was taking notes during those meetings?

The Witness. I assume someone was, but they were on Teams, so --

Mr. Gaetz. Were there minutes that were --

The Witness. I can't recall, Congressman.

Mr. Gaetz. -- created?

Were you aware during your service in the government of any special portal that DHS had with Facebook --

The Witness. No, Congressman --

Mr. Gaetz. -- or Meta?

The Witness. -- I wasn't aware.

Mr. Gaetz. Did you ever interact with officials from the FBI?

The Witness. FBI officials would have been present on subcommittee meetings of the National Security Council that I attended.

Mr. Gaetz. How many of those meetings did you attend during your 10 weeks?

The Witness. A handful.

Mr. Gaetz. And who from the FBI was present?

The Witness. I can't recall their names, Congressman. They were all on --

Mr. Gaetz. Do you recall the area -- their jurisdictional areas?

The Witness. I can't recall, Congressman. Often, when you're on these NSC meetings, you're all piped in from different individual conference rooms, and everybody is on a tiny little thing on a screen. So I can't even -- I wouldn't be know their faces if I walked by them in the hallway outside.

Mr. Gaetz. Did you ever interact with individuals from the Foreign Influence and Interference Branch of DHS?

The Witness. It's possible they were on these calls, but I didn't have any direct contact with them, to my knowledge.

Mr. Gaetz. And did you ever interact with State election officials?

The Witness. I did not.

Mr. Gaetz. Thank you, [REDACTED]

BY [REDACTED]

Q So I'm going to mark as exhibit No. 6 a March 8, 2022, email between you and some other DHS officials.

[Jankowicz Exhibit No. 6

Was marked for identification.]

BY [REDACTED]

Q And I'll give you time to review it.

A This is 6?

Q Six.

A Okay.

Q And in this email chain, it mentions the steering group for the Disinformation Governance Board. Who were the members of the steering group?

A The members of the steering group were working-level officials of each component.

Q And how often did the steering group meet?

A I believe it was a weekly short Teams call.

Q So would that have been -- during your 10 weeks, would you have had a steering group meeting every week?

A We definitely skipped a couple of weeks, but, yes, there were meetings every week or thereabouts.

Q And what was the purpose of having steering group meetings?

A Well, as it says in the charter, the idea of the steering group was to kind of connect everyone at a working level, representing the perspective of their components, reviewing and discussing any proposals submitted to the board -- although we didn't have any -- and essentially just connecting everyone. It was a good chance for people who had never met, who were working on similar issues, to talk to one another. And that was the main purpose, as I saw them.

Q So what was discussed at those meetings?

A During the time that I was there, I asked individual components to give short, 5-minute presentations about the work that they did regarding countering disinformation, the preexisting work that they did, and to talk about any issues that they had teed up relating to the portfolio that they might want feedback on.

Q Did any component give their 5-minute speech about countering disinformation?

A I believe all of the -- I think all of the components did. Yeah.

Q So what was your understanding of what work was being done to counter disinformation?

A It was quite broad and disparate, like DHS -- you know, lots of different entities at work, lots of different portfolios at work.

So CISA would be the most developed. CBP, probably the least developed. FEMA, obviously in a very different mission space than everybody else, but also pretty robust work being done.

And -- I'm trying to think -- then we also, I believe, got a briefing from I&A about some of the work that they did. But, obviously, in an unclassified space they couldn't share very much.

Q And in the first email here, you said, "I am keen to get the steering group meetings into a regular rhythm and set some goals/metrics to orient me/ourselves toward."

A Uh-huh.

Q What did you mean when you said "goals and metrics"?

A Yeah. Especially since I was going on maternity leave at potentially the end of May, early June, I wanted to make sure that we had something to steer toward, right, and we weren't just kind of existing in a weird subliminal space. And so I wanted to make sure that, you know, I had something to point toward.

So, whether that was work toward the first board meeting to get approved a set of principles, or conduct all of the interviews, the initial review that we talked about before, that was me kind of just understanding the space, and those were kind of the

ideas that I had at that time.

Q Were there any notes or minutes that came out of the steering group meetings?

A I usually would send a recap via email after the steering group meetings.

Q And do you remember any of the individuals that attended the steering group meetings?

A You should have those in the emails that you have. I think they would be on the distro list that the invites go to, so --

Q Did Ms. Vinograd attend?

A Usually, yes.

Q What about Mr. Patch?

A I can't recall if Milton attended. He was a staff assistant.

Q Mr. Snyder?

A I also can't recall. He was a policy advisor. It's possible he attended a few.

Q Did Ms. Daskal?

A If her schedule allowed.

Q And Under Secretary Silvers? Did he ever attend a steering group meeting?

A He did not.

Q And in the email from Ms. Vinograd, on the second page here, in the second little paragraph, it says, "We will start our governance meetings individually with folks ASAP."

Who were the individuals Ms. Vinograd was referring to?

A I think that would refer to -- although I'm missing some of the context here.

Q Uh-huh.

A I think that would refer to working-level individual components for those initial reviews that we talked about, for me to kind of do a meet-and-greet and understand the work that they were doing.

Q So the governance meetings would have been part of the initial review --

A Yes.

Q -- as you understood it?

A Uh-huh.

Q And I know during our first round we discussed how during this time period the charter was in effect February 24, 2022, but then the board wasn't announced until, you know, late April.

A Yeah.

Q And so you had said that you wanted to roll out the board differently. Can you discuss for us again how you wanted to roll out the board?

A I believe that with any counter-disinformation activity, particularly as undertaken by a government, there is going to be, rightly, some scrutiny and skepticism related to these activities.

And my research has pointed to that. In fact, there's an entire chapter in one of my books about how a Czech-disinformation entity fell victim to similar attacks to what we did. And one of the reasons that I thought it was so important to kind of respond transparently and actively, proactively communicate about our work, was because of that research that I had done.

So I put together several communications plans, again, that included components from pre-briefing Congress, speaking to the media, putting out fact sheets or a press release from DHS, and speaking with counterparts outside of government. I guess that's four prongs, four different prongs. And that is how I believed that we should've

communicated about it.

[12:28 p.m.]

BY [REDACTED]

Q Did you ever anticipate when that rollout would occur?

A I hoped over and over that it was going to be next week, and then the next week, and then the next week, particularly, as I said, because I was going on maternity leave, and because, as somebody who had a public profile before I went into government, particularly as the Ukraine crisis began, I thought that my absence from the wider world would be noted. And I thought that, potentially, there would be some scrutiny into kind of my sudden silence. And I thought, again, that it would be important to get in front of that transparently and proactively.

Q So it kind of sounds like you were working with this assumption that you would be able to help with the rollout. Who told you that you would be able to help with the rollout? Or who kind of gave you the direction to start working on the rollout?

A I brought up the rollout with -- under Secretary Silvers and Assistant Secretary Vinograd during my first meeting with both of them, which I believe was in my second week at DHS. And I emphasized to them the importance of proactively and transparently communicating about our efforts.

Q And when about did you learn that they weren't going to go forward with your rollout plan, so to speak, and not in a way that you thought was transparent?

A It was an iterative process. So I developed a plan. Individuals from the communications staff -- so OPA and, to some extent -- although they were kind of tertiary to all of this -- the Office of Legislative Affairs were brought in. Questions were raised. We went back to the drawing board. I developed another plan. This happened several times in an extremely frustrating way for me.

And it just kept getting pushed back and pushed back and changed. And

eventually, some of the communications advisors thought that less was going to be more. And that's when we got to about April, and they decided to put just this blurb in a newsletter in order to announce the board.

Q Did you ever express concerns that, you know, less was not more?

A Yeah. I was kind of trying to balance my equities as somebody who was brand new to government, brand new to the department, and not particularly high-ranking within the department. So as I'm sure many people in this room have experienced, sometimes you just kind of have to make a compromise. And I thought that these communications advisors might know better in the situation that we were in.

In retrospect, I wish I had absolutely raised more of a stink because, as I mentioned before, it had enormous personal consequences for me.

Q And do you remember who these communications advisors were?

A So the Secretary's top communications counselor is Ricki Seidman. Their names are probably in some of the emails that you have. I'm not going to remember their last names. Isabella Ulloa is one of them. And then KC is her name. Kristie -- I forget her last name right now. But those were three of the communications advisors.

Mr. Issa. You mentioned earlier about the attack that came out of a rollout in the Czech Republic. Do you want to characterize what happened there, what they disclosed, what the attack was like, and then characterize it relative to what you saw happen in this --

The Witness. Sure, Congressman. So the Czech Republic put together something called the Centre For Terrorism and Hybrid -- or Centre Against Terrorism and Hybrid Threats. Excuse me. That was located within the Ministry of Interior. It was announced in early 2017, and was one of the first unilateral counterdisinformation entities that was put together.

They -- they said, you know, we're going to fight Russian fake news, basically, is how they characterized their efforts. And the Czech people didn't take very kindly to this. They, along with their President, had worries that -- this is what they said -- that the Centre was going to turn off the internet. That they had a button to turn off the internet, among other things. That they were going to decide what was true and false.

That's not what the Centre did or does. They had a very narrow remit relating to, again, terrorism and hybrid threats facing the Czech Republic. And most of the work that they do is interior facing. They educate civil servants about how not to be a vulnerable target to disinformation or cyber attacks, things like that. And then in a very limited area, they do do public fact checks. In my book, I conclude that that is not something that is super helpful.

So when I brought this up at the Department, I said, listen. We don't want to -- we don't want to leave a vacuum for somebody else to tell the story of what we're doing. We want to communicate about that transparently, proactively, and kind of put questions that might come up to rest.

Mr. Issa. And one of the questions would be, do you do fact-checking?

The Witness. It could be any number of questions. I think as -- I think you might have been out of the room, Congressman, when I mentioned this to your colleague. But I think Americans are right to question what the government is doing with regard to civil rights and civil liberties. And I viewed it as my job as the executive director of the board to answer those queries truthfully, honestly, proactively. And unfortunately, we didn't meet that standard that I set for myself.

Mr. Issa. And then you used the term you "fell victim to attacks."

The Witness. Uh-huh.

Mr. Issa. Do you want to give us why you felt that you fell victim to attacks

because of how they launched this?

The Witness. So, because we did not provide enough information at the outset, we left a vacuum for people to speculate. And indeed, within hours of the board being announced, the phrase "ministry of truth" -- which, again, the board had nothing to do with being a ministry of truth -- was trending on social media.

By the next day, I was receiving death threats because people believed that I was going to, quote, "show up at people's houses with guns and tell Americans what they could and could not say."

Again, the government -- DHS, from then on -- as is, you know, documented in some of the emails that I think you have -- could not muster a response. And the longer we waited, the bigger the vacuum grew, the more scrutiny -- scrutiny isn't even the right term. The more ire and vitriol was directed at me and my family.

I've had to take out a protective order against a man who has repeatedly doxxed my family. I received mail to my house because my address has been released online. People were looking into my extended family members. I was 9 months pregnant at the time. I was huge. Believe me, there was nothing I wanted more than to waddle up here and talk to all of you about the work that I was trying to do, but I wasn't allowed.

And this has had a continued impact on my life. I continue to be under -- because of all that.

Mr. Issa. You said you were preparing to leave for maternity leave. Did you in fact leave for maternity leave?

The Witness. I did not. I resigned before I was due.

Mr. Issa. Was that resignation you decided, or was that one where you were asked?

The Witness. I was given the opportunity to stay on as a policy advisor. If the

Disinformation Governance Board were to be disbanded -- as you know, it kind of went under review over the summer. And my thinking at that time was -- again, extremely pregnant, about to have my first child -- that perhaps if I resigned, the threats would go away. That they would be redirected at DHS.

Unfortunately, that's not what happened, in part, because people continued to lie about me and still, to this day, continue to lie about me. Still, I believe that I can do good work outside of government, and it was the right decision for me to have made. I also felt that the Department didn't have my back, and I wanted to concentrate on my time with my family over the summer and caring for my new son.

Mr. Issa. Could you elaborate on what actions did you see or not see from DHS that caused you to believe they didn't have your back?

The Witness. Yeah. So --

Mr. Issa. And can I say, were you thrown under the bus a little bit, in your opinion?

The Witness. I do believe I was thrown under the bus to some degree. I believe DHS made the calculation that it was easier to let the work be undermined than steel themselves and get on with something that they thought was important. And I believe that that is, in a way, how the Biden administration has handled this particular issue of countering disinformation.

I, over and over -- and, again, this will be in emails that you have seen at this point -- voiced my concern that we weren't reacting. That we weren't putting any information out there. That the more that we did that, the threats to my family increased. And that fell on deaf ears over and over again.

And I had spent my career and a large portion of my own kind of personal capital doing work that I thought was important for the American people, and I did not want to

risk further damage to that for an agency that clearly didn't have my -- even my safety at heart.

And it was a really tough decision for me because I had spent the entirety of my time since, you know, I was in college -- actually, way before that. I was in model Congress when I was a kid, right? Public service is something that I have aspired to for a very long time. So it was a decision that I did not take lightly and one that made me very, very upset.

Mr. Issa. Now, you're not personally wealthy, I gather?

The Witness. No.

Mr. Issa. So this was also an economic decision. How did you, on the verge of having a child, deal with resigning?

The Witness. Well, I'm lucky that my husband is employed. And --

Mr. Issa. Only one in government at a time.

The Witness. Yeah. And it has not been easy, Congressman, dealing with the legal implications that have come from my service in government in addition to needing to retain Andrew, who has been great.

Thank you, Andrew.

I've also had to retain several other attorneys in related matters. The protective order, I mentioned. The same gentleman has named me in a civil suit that has cost me a significant amount of money to try to get dismissed that has absolutely no basis in reality.

So, again, in addition to monetary impact, this has affected my family. I get recognized on the street here sometimes by people who wish me harm, and I'm just happy that my son hasn't been with me in those cases.

Mr. Issa. Now, your civil suit was for conduct during the time you were at DHS, I assume?

The Witness. It actually has nothing to do with DHS. He just alleges that I did things that I didn't do, and he's just harassing me through the legal system.

Mr. Issa. So that happened personally --

The Witness. Correct. Yeah.

Mr. Issa. Well, you have not only our sympathy, but from many of us, our empathy on exactly that.

The Witness. Yeah.

Mr. Issa. Thank you.

Mr. Biggs. Can I ask you a question, too, with regard to that? Because I find it interesting.

And I wanted to know where -- did Mr. Silvers and Ms. --

[REDACTED] Vinograd?

Mr. Biggs. Yeah. Vinograd. Yeah. Yeah. Vinograd.

Did they kind of disappear as this thing began to -- and I don't want to use the term "fall apart," but it seems to -- looking at the timeline, in retrospect, it looks like, at some point, it began to fall apart. They began to -- from reading all the documentation -- kind of pull in their wheels a little bit and leave you kind of as the face of this prospect.

And I want to know about -- did those two disappear? Did Secretary Mayorkas ever consult with you on what was happening? That type of thing.

The Witness. So Rob and Sam and Jen were great during the time. They were very supportive of me as their staffer and someone they knew personally.

The Secretary, I suppose, perhaps -- well, I can't conjecture who told him to do this. But he did give me a call the Friday after the board was announced to just say that, you know -- that he had my back. But that was the last I spoke with him.

And things -- and I can't really say what was going on behind the scenes because there were a lot of conversations, emails, meetings, that I was not involved in. And that frustrated me, right? Because I was the one who was at great personal risk, indeed physical risk. I was told by a private security consultant that I hired at that time to leave my home when I was weeks away from giving birth.

I was frustrated that I wasn't involved in those conversations. That wasn't Rob, Sam, or Jen's fault. I think things evolved to the point that they were above all of their pay grades, if that makes sense. I think it was things happening at S-1 level, and then even potentially at the White House.

I really can't -- I can't say. But I know that I would often ask Rob for guidance, for -- you know, do you know about X, Y, or Z? If, you know, I'll be allowed to speak to the media? If we're going to put a fact sheet out? And his answer was, I don't know. And even once, I do believe he said, this is above my pay grade.

Mr. Biggs. So the Secretary -- other than gave you the last interview, which you said was incredibly brief -- I said -- you didn't say incredibly. You said it was brief. I said incredibly. And then this call after you take the position. But then as this begins to be a lightning rod for public discourse, you don't hear from him again?

The Witness. So he called me on the Friday after the board was announced. So it was announced on a Wednesday. 27, 28, 29 -- it must have been April 29th. That weekend, all of us were all-hands-on-deck putting talking points together for him because he went on the Sunday shows. And, yeah, that was the last that I heard from him. He defended me on the Sunday shows, and that was it.

Mr. Issa. You described yourself as low level here. Do you believe that part of the challenge was that you were seen as the focal point rather than a coordinator for the board?

The Witness. Yes, Congressman. And I think that, in part, is due to the characterization of me as the disinformation czar or the minister of truth, when in reality, I was a GS-15 herding cats in government. Yeah, I had a profile before entering government, and I think that should have spoke to, you know, the way the administration was trying to carefully consider these issues rather than me being someone who was all powerful.

And I have to say, with due respect, there are people in this room who characterized me as somebody who had a lot more power than they did, and that really did lead to a lot of the conjecture and spin and lies and threats about me.

Mr. Issa. You were saying, though, that you were -- I characterized thrown under the bus, and you didn't disagree. To a certain extent, as Members of Congress, was it unreasonable to believe that you were some of the focal point based on what was publicly available?

The Witness. I mean, you're asking the question, Congressman, so I'm going to answer it. I believe that the way I was characterized by certain Members of Congress, by certain media outlets, was reckless. It had no basis in fact. And it put me and my family at great personal risk, to the point where I was going to my prenatal appointments at a weekly basis at that time, and I felt that I had to basically disguise myself. I wore a hat, sunglasses, and a mask because I was on Fox News every hour on the hour, and I was basically a sitting duck.

And that is not what I signed up for as a GS-15. It is not what I envisioned when I was going into public service. And especially given the complete mischaracterization of the board's activities and of my prior statements, it was just -- it was a really sad experience for me.

Mr. Issa. No, I appreciate that. But I just -- the question I asked was slightly

different. And your answer was really good. It's just, my question was more -- you kind of know that there wasn't -- there wasn't a launch of this organization that explained it. The simple launch didn't talk about its power, and it didn't characterize these very significant members of the board who may or may not have attended certain meetings.

So -- and I wasn't one of the people who commented, as far as I know. I'm pretty sure. So given that I don't know anything other than what I'm learning here today, and then what we saw in the beginning, do you believe that the way DHS launched this, it was pretty easy for someone not to know what this organization was going to do, and thus, could have conjecture as to what it could or couldn't do?

The Witness. I believe that DHS did a poor job rolling the board out, but I also believe that it is incumbent on Members of Congress, elected officials, and the media to be very careful about the bully pulpit that you all have, and to understand that words have actions.

So I would have preferred that, you know, this went through normal process before wild speculation unleashed stalkers and all manner of threats on me and my family.

Mr. Issa. And to your recollection, what was the first media that you saw that was incorrect, or maybe even hyperbolic?

The Witness. If we're talking about mainstream media, I believe, by the next morning, there was mischaracterization and lies about the board on Fox News.

Mr. Issa. Thank you.

BY [REDACTED]

Q I'm going to enter into the record an email chain from April 27th, 2022, with the subject line "FYSA - DGB announcement blowback." It probably has some of the communications you are referencing.

And it's a longer email chain. I'll refer to the Bates numbers on the bottom of the page.

A Okay.

Mr. Herman. Is this exhibit 7?

██████████ Yeah, exhibit No. 7.

[Jankowicz Exhibit No. 7

Was marked for identification.] .

The Witness. That has the name. I couldn't remember. Kristie Canegallo.

Okay.

BY ██████████

Q So on Page 262 -- and that number is right before the date.

A Yep.

Q You say in here, "However, given tenor of the discourse and those that are sharing it, I wanted to make everyone aware. There is a fair possibility this could escalate and end up on a hostile TV network in the coming days. I would recommend" -- and then DHS has redacted that.

Do you know, were your recommendations ever considered or implemented?

A I don't believe they were ever implemented. I hope someone considered them, but I can't be certain.

Q Can you tell us what you recommended?

A To the best of my recollection, I believe I recommended releasing a fact sheet that we had prepared earlier and going back to my original communications plans that included briefing the Hill, briefing media, and getting third parties on the phone to potentially answer any questions that they had. So folks at think tanks and things like that who ended up speculating a lot about the board in the coming days.

Q And then if we flip over to 260, there is an email from Ms. Erin Waters.

And in that email, she says, "Hi, Nina. Thanks for bringing this to our attention. We are seeing a lot of the traffic on social back end as well. Adding others in OLA on your last message. Sarah/Ruth can advise, but we also have a media inquiry now. We recommend" -- and then that's also redacted.

Who is Ms. Erin Waters?

A I believe -- but I am not certain -- that Erin Waters is an OPA staffer. Office of Public Affairs.

Q How often did you interact with Ms. Waters?

A Given that I can't remember where she was working, I don't believe I interacted with her very much. We were on email chains, but that's it.

Q And do you remember what she recommended in her email?

A I don't.

Q Do you know if those recommendations were ever taken action on or considered?

A I assume, again, they were considered by the people on the email. But given that I don't remember what she recommended and certainly don't think it went forward -- yeah, I don't think it went forward.

Q And then if you flip one more page over to 259, there's an email response to Ms. Waters and her recommendations from you. And in that email on the bottom of the page, you say, "Thank you. That sounds good to me. Let me know how you would like to handle. I have personal relationships with all those highlighted, but happy to follow your lead."

A Okay. So what I think this was was, as I mentioned in my initial kind of recommendations, I had put together a list of third parties that we could inform about

what was going on. And I highlighted individuals with whom I had a personal relationship.

Q Do you remember any of the third parties that you considered?

A Sure. For instance, Christopher Krebs. Somebody who had worked at DHS before and was a Trump appointee. I believe I had noted some individuals across the think tank community at places like CSIS or Brookings, academics. I think I had also noted the congressional staff that I had relationships with from when I testified before Congress. So kind of to reach out and tell them, you know, this is what's going on. Here's what we're actually doing. Please don't be alarmed.

Q Did you ever have any of these briefings or meetings with the third parties?

A No. We did not, unfortunately.

Q And a little bit earlier, you said that you, quote, "weren't allowed to come up to the Hill to discuss." Who told you you couldn't come?

A I think that came from a number of different individuals. I can't remember specifically, but I heard "no" from pretty much every corner. And I repeatedly said, I'm happy to go to the Hill. I'm happy to talk to the media. You know, it's my face they're seeing on TV. I should be out in front, and I'm happy to humanize this effort. But I was never allowed to do that.

Q Do you remember --

Mr. Issa. Did that include DHS's leg affairs person?

The Witness. The leg affairs folks were actually very helpful and supportive of me doing that. So it wasn't OLA that made that decision. I can say that for certain.

BY [REDACTED]

Q Do you remember what the concern was? If there was a concern of you coming up to the Hill?

A I still don't know what the concern was.

Q And if it wasn't OLA, do you remember what component it was that told you you couldn't come up?

A It wasn't a component. It was probably advisors to the Secretary. So some of the same comms advisors that we mentioned before.

██████████ Okay.

About 3 minutes, if any of the members have questions.

Chairman Jordan. What's the advisory board that made the recommendation to cancel and stop the Disinformation Governance Board?

The Witness. The homeland security advisory committee.

Chairman Jordan. Homeland Security Advisory Council.

The Witness. Ah, council, yes.

Chairman Jordan. Do you know who those individuals are?

The Witness. I believe the cochairs of it are former DHS Secretary Michael Chertoff, and also Jamie Gorelick. I'm not aware of the further membership, though.

Chairman Jordan. Did you have any interaction with that advisory council prior to them making the decision?

The Witness. I did not.

Chairman Jordan. Okay. I want to do real quick if I can -- I want to just give you something. I just want your reaction.

Can you pass this out? This is a -- we have some copies.

This is an email from the White House on January 23rd, 2021, to Twitter. From Clarke Humphrey to folks at Twitter. I'm just curious. We talked about disinformation, misinformation, malinformation earlier. If you could take a look at that.

And then look at the underlying tweet from Robert F. Kennedy, Jr., if you could.

Mr. Ivey. And this is exhibit 8?

██████████ Yes. We'll enter this as exhibit 8.

[Jankowicz Exhibit No. 8

Was marked for identification.]

Mr. Ivey. Okay.

Chairman Jordan. So the White House -- I don't know if it is a male or female -- Clarke Humphrey sent this email to Twitter and said, "Hey, folks. Wanted to flag the below tweet and am wondering if we can get moving on the process for having it removed ASAP."

Do you think it's appropriate for the White House to be telling Twitter what should happen on its platform or not?

The Witness. Congressman, this is the first time I'm seeing this, of course. Again, it doesn't relate to the activities of the Disinformation Governance Board. So I'm not sure it's pertinent to the subject at hand.

Chairman Jordan. Can you take a look at the tweet from Mr. Kennedy? From Robert Kennedy, Jr.?

The Witness. Uh-huh.

Chairman Jordan. Is there anything in that tweet that's not accurate?

The Witness. I don't know, sir. Again, I'm not a COVID expert. I'm not an expert -- I don't even remember this happening. So I can't give you an assessment of that.

Chairman Jordan. Hank Aaron is a real person.

The Witness. Yes.

Chairman Jordan. Hank Aaron took the shot. Hank Aaron passed away a few weeks after the shot. That's what the tweet says. It doesn't say cause and effect.

And then we have the White House telling Twitter this tweet needs to be taken down as soon as possible. And this is part of disinformation. In fact, he calls it misinformation, which I think, according to your definition, is false but no malign intent.

Mr. Ivey. Mr. Chairman, I thought she already said that she doesn't know anything about this.

Chairman Jordan. She was going to be the chair of the Disinformation Governance Board..

The Witness. Yeah. My reaction, Congressman, is that I had no ability to be an arbiter of truth. I was not going to be deciding what was true or false online. So my opinion on a tweet that was sent more than a year before I entered government service is irrelevant.

██████████ Our time is up.

Chairman Jordan. Thank you.

██████████ We'll go off the record. Thank you.

[Recess.]

██████████ We can go back on the record.

BY ██████████

Q Just addressing a couple of things that were raised in the earlier hour.

We talked through some best practices, and you used as examples things that Estonia is doing and things that Sweden is doing, for example. Those are just examples, right?

A Yes.

Q And it wasn't your intent, you know -- going in, it was your intent to gather information. There was no intent necessarily to put into place any kind of, like, recommendation that we follow the Estonian system, right? That was all just examples?

A Yeah. That's correct.

Q Okay. You mentioned the recommendations that you had made to DHS.

A Uh-huh.

Q And you said you don't know if any of your recommendations were put into place. You hoped they were.

I want to introduce as exhibit 9 a fact sheet that was released.

[Jankowicz Exhibit No. 9

Was marked for identification.]

BY [REDACTED]

Q Are you familiar with this?

A Yes, I am.

Q Okay. And this is dated May 2nd, 2022?

A Uh-huh.

Q Did you have a role in working on this?

A I did.

Q And can you explain how it came to be?

A So one of the fact sheets that we had created prior to the announcement of the board was used as a kind of draft. And with much input from various corners of the Department and communications staff, this is the document that resulted. So you can imagine the sort of commenting process that went through there. But it was a long and drawn-out process.

Q And what about the process for releasing it on May 2nd?

A That was outside of my personal knowledge. So once I inputted on the document, it was then signed off on by various and different entities around DHS, and potentially within the White House as well.

Q Okay. But to your -- so -- but it was actually released?

A Uh-huh.

Q And it was -- did you want this to be released?

A I wanted it to be released when we announced to the board. Not more than 5 days afterward when people were clamoring for information.

Q Okay. Got it. And then just one more question on a separate issue.

We talked a little bit about CISA and some other entities. To your knowledge, what is -- can you explain, actually, what CISA stands for?

A Yeah. CISA is the Cyber and Infrastructure Security Agency.

Q And what is CISA's role within DHS?

A Again, like many DHS entities, it plays a lot of roles. But they deal with the protection of critical infrastructure.

Q Okay. And how did you foresee the DGB interacting with CISA?

A So, as I mentioned before, CISA has a pretty robust portfolio in this area. They are one of the ones that have been working on this issue for a long time. And so, I wanted to give them space to do what they did and support them where they needed support, but not substantively change any of the work that they were doing already.

Q Okay. And are you familiar with a different group called the Center for Internet Security? It's sometimes called CIS.

A I am only familiar with them from what I have seen in the news from last week.

Q Okay. Are you aware that CISA and CIS are different entities?

A I am aware of that, yes.

Q And to your knowledge, is CISA a government entity or a private entity?

A Is CISA?

Q Sorry. CIS.

A CIS, to my knowledge, is a private entity.

Q Okay. But you don't have any personal knowledge of what they do or anything?

A No. I just learned about them last week.

Q But they are different than CISA?

A They are.

Q Okay.

██████████ All right. That's it. We're good. Thank you.

We can go off the record. It's 1:11.

[Recess.]

██████████ We'll go back on the record. It's 1:12 p.m.

BY ██████████

Q Ms. Jankowicz, I want to go back to the charter. I believe it's marked as exhibit No. 3. I'm going to refer to section one, the second paragraph there. And it goes through the lines of effort.

What did you understand cross-functional lines of effort to mean?

A The areas in which DHS was already working.

Q So the first one is identifying MDM. How did you understand DHS was already conducting work in that line of effort?

A This was something that I was seeking to understand better. But to the best of my own knowledge, from my short time in government, I understood that within each operational component, there were individuals working to look at or identify disinformation with a nexus to homeland security.

So FEMA was on the lookout for disinformation about disasters or disaster

benefits. CISA was on the lookout for disinformation about cyber or election infrastructure issues, et cetera.

Q And what was your understanding from the charter and your work within the 10 weeks at the board -- what was your understanding that the role of the board would be in that line of effort?

A Very little. Setting the guardrails, as I mentioned before, for how to do that work with privacy, civil rights, and civil liberties in mind.

Q And what guardrails did you think were necessary?

A It was too soon to say. Again, I was trying to understand where the gaps were and where we needed those guardrails. So that was in a very early stage, and I can't really conjecture where the work might have led.

Q And were you able to identify any of the gaps in DHS's work?

A I would say the gaps that I identified were less related to identification. And, again, as I mentioned before, the work is iterative, right? So I thought we had to start at the ground floor and talk about some of the big-picture ideas before we drilled down into some of the other things. So I can't testify to kind of any gaps in identification because I just didn't get to that granular of a level at that point.

Q Yeah. And understanding that you weren't able to get to a granular level, did you have any concerns about how DHS was identifying MDM at the time?

A No, not from what I learned.

Q And you said that -- one example you used was FEMA. Had they identified any MDM?

A Yeah. So if we refer to Exhibit 9, one of the things that we talked about was Hurricanes Sandy, Maria, and Ida. FEMA actually had a really robust mechanism for during hurricane season to kind of track these scams and disinformation about safe places

to take shelter, things like that.

So that was kind of a shining star, in my understanding. And they were able to kind of communicate information out based on their tracking of the broad information space.

Q And during some questioning by Mr. Gaetz, you talked about some of the best practices and how you said something about contextualizing information.

Would that have been an example of when you needed to contextualize the information that was out there?

A With FEMA, I mean, I think that is such a life-or-death situation for people. It's less about contextualizing and more just reaching people that are in harm's way.

But contextualizing -- an example of that could be, you know -- a great example, actually, from the 2020 election. If you recall the joint effort by DOJ and DHS in responding to Iranian disinformation that was attempting to disenfranchise voters, kind of threatening them before going to the polls. And they were able to get out there and do a news conference and say, Actually, we're able to prove that this is coming from Iranians who have targeted you specifically. You shouldn't buy into this. That was really effective. And that's the sort of contextualization that works well.

Q And how would you define contextualization that works well?

A It has to do with adding more information, responding quickly, and doing so from an authoritative source. So the government or, you know, a trusted local organization often -- you know, as I mentioned before, the government is not the best messenger. So that's where, you know, partnerships with State, local, Tribal, and territorial entities could come into play. Just, again, hypothetically.

Q And the second line of effort here is "assessing and analyzing the risk that such MDM poses to homeland security."

What work on that line of effort did you do in your 10 weeks there?

A Again, I would say that the majority of my work had to do with getting the board announced and then conducting these initial review, kind of interviews with people. So in terms of risk assessment, that hadn't really gone forward. Ditto for kind of how we would respond or how we would build resilience.

Q And when you had these steering group meetings where the components kind of talked about the work -- the MDM work that they were doing -- I think you talked about 5-minute speeches -- did they ever mention any of the risk or risk assessments that they had performed?

A Not to my knowledge, no.

Q And number three line of effort is "responding to these MDM threats."

Would contextualizing --

A It could be a response, yeah.

Q What other responses did you think?

A Putting more information out there. The sort of educational efforts that I spoke about before that CISA was already engaged with. But again, all pretty hypothetical because we never -- the work didn't continue.

Q And number four, for building resilience to MDM. Did you have the opportunity to work on that line of effort?

A We did have one sub-working group meeting for anybody who was interested in discussing information literacy, and how or if DHS entities might be involved in that. It was just one kind of very basic meeting. And that, I believe, had representation from FEMA and CISA.

Those are the only two I can recall off the top of my head. But it was just, again, kind of a -- what is this thing, and how does it interact with our mission set?

Q And is the working group different from the steering group?

A So this was a sub-steering group.

Q Okay.

A Yeah. So the steering group was working-level people, and this was just a sub-steering group of anybody interested in kind of the information literacy vein of things.

Q And how many subgroups of the steering group were there?

A That was the only one.

Q And you said it just had that one meeting of discussing media literacy?

A That is correct.

Q Okay. And then I'll turn to section four here, "board responsibilities."

The first sentence there says, "Components will lead in MDM-related operational responses and other efforts to counter MDM in their relevant mission spaces."

Can you provide examples of MDM-related operational responses that you are aware of?

A Yeah. I would refer back to the fact sheet that DHS put out. So CBP doing a communications campaign trying to dissuade potential migrants from coming to the U.S. illegally. FEMA getting good information out there about how to access aid and, you know, different emergency responses. And CISA identifying disinformation coming from foreign -- foreign entities.

Q So in the 10 weeks that you spent at DHS working on the board, did you ever have any discussions related to best practices for operational responses?

A The only discussion that I think could be considered barely robust enough to touch on that would be what I just mentioned, the sub-steering group on media literacy. Otherwise, we were just at the very, very beginning of setting things up and getting them

moving.

Q On the last page of the charter, section seven, "relationship to other departmental governance bodies," the second sentence reads, "As such, all DHS-wide or component-specific proposals for funding related to efforts to counter MDM should be appropriately coordinated with the board, including in advance of submitting any final funding proposals."

During your work at the DGB, did you ever discuss funding proposals?

A No.

Q Ever discuss a process for reviewing the funding proposals?

A No.

Q What did you understand that those funding proposals would include? Or what is DHS spending funds on?

A So my understanding was that there would be a central kind of coordination mechanism for grants related to disinformation.

So as an example, the science and technology component, which is -- S&T is a member of the board -- they do research related to disinformation. The idea was that, you know, that component would inform the board and other components about the work that they were doing so that everybody could benefit from it.

Or if there was a grant that was undertaken from CISA to -- I mentioned a game that they developed before -- that other components would be informed so that, if necessary, or if applicable, if warranted, they could potentially use those resources as well. It was meant to ensure that taxpayer funds were being used appropriately and not kind of duplicated, if that makes sense.

Q And during your time at DHS, did you ever kind of get a grasp on what funds were being expended on the countering MDM or --

A I did not.

Q No insight as to the grants that were out there?

A A very top-level insight that that was going to be something that we would look into further as the work developed.

Q What was your top-level insight?

A Like a number?

Q Yeah.

A I have no idea. I don't know.

Q What would you define as top-level insight?

A Kind of understanding the different areas of expenditure. So again, I mentioned most of them. Grants for kind of implementation, grants for research, and then different sorts of software, like FEMA in particular, in order to assess threats in the information space. It had, like, a social listening software, probably similar to what many congressional staff use.

[Jankowicz Exhibit No. 10

Was marked for identification.]

BY [REDACTED]

Q Okay. I'm going to enter as exhibit No. 10 an April 20th, 2022 email regarding a case study between Ms. Jankowicz and other DHS officials. This is exhibit No. 10.

A Thanks.

Q Take your time to review.

A Okay.

Q Do you recall being on this email chain, sending these emails?

A Vaguely, yeah.

Q So on the first page here, Bates No. 181, in an email on April 20th at 3:44 p.m., you said, "Thanks, Rob. Here's where we stand with the case study."

What was the case study?

A Yeah. This was a series of conversations between I&A, CBP, and policy staff.

That was Siri.

A series of conversations between those three entities to understand how they were responding to disinformation around irregular migration. So part of the kind of review of operations.

Q And then on the next page, 182, at the very top, it says, "In short, however, we have not yet been able to identify a false narrative that meets the threshold for departmental response."

How would you define false narrative?

A In -- so this would be false information that is leading migrants to take the journey to travel to the United States illegally.

Q And what did you think in this email was needed to meet the threshold for departmental response?

A Something that was cut-and-dry false that had no questions about it. In this case, this would be coming from a foreign entity, and that -- the other thing to keep in mind is that, often, when governments attempt to respond to disinformation, sometimes they inadvertently give more oxygen to things that aren't actually a problem.

And so, the idea here is that none of these things were also big enough to push back on, because we didn't want to actually inadvertently amplify them, if that makes sense.

[1:27 p.m.]

BY [REDACTED]

Q And how would the Department have pushed back?

A Releasing good information, potentially through kind of the preexisting campaigns, like "Say No to the Coyote."

Q So would the board have kind of set guardrails or best practices on how best to assess whether a narrative is true or false, or --

A That was one of the things I had hoped to do in the future, yeah, but it was pretty far away from where we were on April 20th.

Q And so, in order to be a false narrative and meet a departmental response, it would have to be cut-and-dry false? Were you going to set best practices on how to determine if something was false, cut and dry?

A I had hoped to do that, yeah.

Q And what did you think that that would look like? Had you given that any thought?

A That would have been determined in coordination with the rest of the board. It wasn't up to me.

Q And did you have any discussions with the rest of the board about how that would go?

A Nope. Board never met, so I never met any of the members of the board either.

Q And before the board was terminated, it was paused. Do you recall that?

A I do.

Q And do you remember why the board was paused and why it was decided to pause it rather than immediately disband it, if you will?

A It was explained to me that the board would be paused so that it could be reviewed by the Homeland Security Advisory Council, and they would make a decision about how to proceed with the board.

Q Were you involved in any of the conversations surrounding the pause?

A I initially was told that the board would be disbanded and was offered that policy adviser role that I mentioned before. Then I was told actually the board would be paused, did that change my calculus at all about whether I wanted to stay? And it did not, so I still resigned.

Q Were you able to be involved in the discussion, have your voice heard? I know you've mentioned some frustration. Did you feel like your frustrations were heard?

A I did not, and I was not involved in any of those conversations.

Q And when was one of the times that you thought your frustration wasn't heard?

A I repeatedly asked and expressed my willingness to come up to Capitol Hill and talk through the concerns that lawmakers had about the board with them personally.

I repeatedly asked to be allowed to speak on the record about the board's work because it, as you have heard today, is a lot less scary than it was being characterized as. And, as the person who had unfortunately become the object of public derision, I felt that I was owed that opportunity.

I wanted to release materials, fact sheets, press releases, et cetera, about the board's work and the plans that we had. And, in fact, we did have one or two briefings with congressional staff.

And the guidance from up above was that we were to be as vague as possible, which I found very frustrating, because there were things that I have spoken to here

today that I felt that we could elaborate on at that meeting, at those briefings that occurred.

Q And who was telling you to be as vague as possible?

A I think guidance was coming from elsewhere in the building, but it -- Jen Daskal did those briefings with me, and this was her guidance as well.

Q So Jen Daskal gave you that guidance, but it came from someone else. Do you know who that came from?

A I don't.

Q Were you told that it was the Secretary's decision, or advisers around the Secretary?

A I don't know for sure.

Q And how many briefings did you have?

A I believe there was one with House staff and one with Senate staff on related appropriations and authorities committees.

Q And did you ever get a sense of why you were told to be vague?

A No. That didn't make much sense to me, frankly.

Q Did you feel that the whole response from DHS was vague?

A Yes.

Q Did you ask Jen Daskal why?

A I don't believe I did. It was a pretty kind of ad hoc set of days that was very intense. And so it was kind of just what was communicated to me right before getting on the call, and I had to run with it.

Q And do you know, did Ms. Daskal share your concerns about being vague or wanting to share more information?

A I think Jen is a very cautious person. She's also a lawyer. And so she

didn't want to sign us up for anything that we couldn't deliver on potentially. And that was my understanding of how she was approaching it.

I know she was very personally upset for what I went through. And, actually, she and Rob had faced similar threats, but not to the degree that I did. But I think she just had a very different stance toward public communications than I did.

Q And do you know, did anyone else share your frustrations about the rollout, whether it be Under Secretary Silvers or Ms. Vinograd?

A Under Secretary Silvers definitely shared my frustration as well. Yeah, I think he felt really bad for what happened to me.

Q Do you remember what the sum and substance of his concerns were with the rollout, if he was concerned or frustrated?

A I know Rob and I had a couple of conversations about our frustration with not being able to speak to the media. He had also been -- he volunteered himself for some of those interviews, and obviously way outranked me.

But he also was not allowed to speak, to my knowledge, and I think that was frustrating to him. But that was at the point where, as I think I mentioned before, he said, "Well, it's kind of -- it's being decided above my pay grade."

Q And so it's your understanding that Under Secretary Silvers did raise his willingness to speak on the record about the board?

A That is my understanding, yes.

Q And it's your understanding that he was told he could not?

A Yes.

Q And when were you told that the board would be terminated?

A I'm trying to think about dates here. So I resigned on Wednesday, May 18th -- 17th, 16th -- it would have been May 15th, I believe, a Sunday. Jen and Rob

called me and said, "Hey, it looks like this is the way that things are going to be going. We'd like you to stay on. You know, the work is important. You could stay on as a disinformation policy adviser. Let us know what you think."

Q And during the pause in the decision to terminate, were there any efforts to change the mission of the board or restart it, to your knowledge?

A I had no communication with anybody outside of -- or anybody within DHS after May 18th.

Q And so, when you and Under Secretary Silvers were discussing your willingness to come to the Hill or speak publicly, do you know who was telling Mr. Silvers that he couldn't speak?

A I don't know.

Q Do you know who made that decision?

A No.

Q Did he ever tell you who made that decision?

A Nope. It was all a mystery to me.

Q Did you think it was a good idea to terminate the board?

A I did not.

Q And what was your thought process on the termination and the pause?

A It was clear to me during my time at DHS that coordination was something -- more coordination was something that could benefit DHS and something that could benefit the Federal Government.

In fact, I've written papers about this before as well, that coordination mechanisms, as we talked about before with the U.K. Government, are really important to responding to disinformation appropriately and to making sure that the response is effective.

And the conclusion that there was no need for a Disinformation Governance Board was, frankly, in direct contradiction to some of the issue areas that I identified as needing support during my time at DHS.

Q And I just kind of want to go to some of the decisionmakers here.

So do you know who made the ultimate decision to terminate the board?

A I do not.

Q Was it at the level of the Secretary?

A I believe that the Homeland Security Advisory Council made a recommendation to the Secretary, and he took that recommendation on board. But I will caution that I have only read about this in the press, so I know as much as you do.

Q Was there any White House involvement to your understanding?

A I have no idea.

Q And in regards to not pushing more information out publicly, not allowing Under Secretary Silvers or you to come to the Hill, do you think that was a decision made by the Secretary?

A I don't know.

Q If it was above Under Secretary Silvers' pay grade, who would -- who is above him?

A Yeah. The Secretary or potentially somebody at the White House, but I don't know how far above.

Q But it was above Secretary -- or Under Secretary Silvers' pay grade to your understanding?

A That was what he told me.

Q Okay. And how did he communicate that to you?

A In a phone call.

Q Do you remember when about that phone call was?

A It would have been the end of the week before the pause, termination of the board. So mid-May, like May 13th or 12th, maybe.

Q And what do you remember about that call?

A I called Rob because I was extremely frustrated with the continued personal attacks on me, my family, my body of work, the threats that we were under, and statements that had been made on the House floor about me. And I said that I wanted to speak to the media, and if they didn't allow me to, then I was going to consider either leaving or doing it without their sanction.

Q And I know you weren't involved in the conversations to disband the board, as you've mentioned today, but what is your understanding for why the board was disbanded? Why do you think it was disbanded?

A I really can't -- I can't speculate on the reasons that they came to this conclusion, so --

Q Do you think that you could have gotten past the blowback of the rollout of the board and done positive work with the Disinformation Governance Board?

A I think, for as long as DHS let this issue fester, it had clearly become a divining rod in politics based on the false accusations about what the board was meant to be doing. And essentially they were -- they felt that they were forced to give it up, is what my sense of the situation was. Yes.

Q And, when you say the issue, let the issue fester, was that the kind of botched rollout of the board, so to speak?

A The botched rollout and the lack of communications, efficient communications, from there on out.

Q And I know you've testified today that the work of the DGB was to help

coordinate the ongoing MDM efforts at the Department. Are those efforts still ongoing to your knowledge?

A I don't have any knowledge other than what has been reported. I know there have been stories in ProPublica, for example, that have uncovered how a lot of that work has been paused since the disbandment of the board.

Q Do you think it would be wise for the Department of Homeland Security to restart something similar to the Disinformation Governance Board?

A In this political environment?

Look, I believe in efforts like this. I believe in efforts that seek to help government work better on behalf of their citizens. And at its heart that is what this effort was meant to do.

So, yes, if DHS or another Federal entity were to set up a coordinating mechanism to help the government respond to disinformation that makes Americans less safe, I would be in favor of that. I just probably wouldn't give it the name that they gave it.

Q And you don't have any work that involves interactions with DHS, I believe you said at the very start of the deposition?

A I do not.

Q During the 10 weeks that you served as the Executive Director of the board, did you communicate with anyone at the White House?

A I communicated with a few NSC personnel. And I cannot remember their names, unfortunately.

Q What was the context for those interactions?

A It was related to National Security Committee business around disinformation, so -- and I've forgotten. They've got different verticals. I think these folks were on, like, the democracy vertical, team democracy, something like that.

Q And do you remember what issue areas they worked on?

A They worked primarily on countering disinformation and hostile state influence.

Q Did you ever receive any orders or actions that you were supposed to take from the White House?

A No.

Q Did you ever communicate with anyone regarding the work of the board at the White House?

A Yes. So with those same individuals on the NSC, we talked about plans for the board just based on kind of the charter and the things that we've walked through today, kind of how to be a coordinating mechanism and how best to support DHS components.

Q So the plans that you discussed were just around how you would coordinate efforts at DHS?

A Uh-huh.

Q Did you go into any details about what your best practices may look like?

A No, because they weren't determined yet.

Q And did you ever communicate with anyone at the White House regarding MDM generally?

A I was, as I mentioned before, involved in a couple of sub-NSC convenings related to foreign interference primarily.

Q And did the NSC have any role in the Disinformation Governance Board?

A No. Just as -- ideally what would have happened if the board had continued with that would be that the board would be kind of the belly button for NSC input into DHS' counter-MDM efforts. How many buzzwords can you fit into one

sentence?

[Laughter.]

Q And what other government agencies would have been interacting directly with the DGB in the ideal world?

A Anybody who had any sort of counterdisinformation remit within their portfolio.

Q And outside of DHS, did you have any regular meetings with other government agencies?

A Not regular meetings, no, that weren't organized by the NSC. Just those NSC meetings that I mentioned.

Q So were the only other government agencies that you met with at all NSC, or did you meet with other government agencies during your time with the board?

A I met with some State Department officials and someone at ODNI who had come on at a similar time period as me to work in a counterdisinformation function at ODNI.

I'm just trying to think if there was anyone else. I mean, as I mentioned before, at some of those sub-NSC meetings there were individuals from across the interagency, but I didn't have specific meetings with them.

Q And, speaking with ODNI, what did you understand was ODNI's MDM-related work?

A I believe there was some -- I'm not an expert on this, so I'm going to be paraphrasing -- there was a bill that was passed in a previous Congress about setting up a -- some sort of counterdisinformation coordinating cell within ODNI, and that person was working on that, some of that work. But I don't know the details of it.

Q And were you aware of any specific ODNI efforts?

A No.

Q Was that your only interaction with an official from ODNI?

A Yeah. And I would say it was more social than anything else. We had lunch.

Q Did you -- I know that at the top of the deposition you talked about outreach to Twitter, and Facebook reached out to you. Were there other social media companies or tech platforms that reached out to you?

A I got one email from a vice president at Substack, but we never met.

Q And you talked about a Twitter meeting that never occurred. Is that correct?

A Yep.

Q And that was because Under Secretary Silvers was going to be in the bay area?

A That's why we reached out to Twitter, yes.

Q Did he already have meetings set up with Twitter, or why was he going to be in the bay area to your understanding?

A It was unrelated to the board. I can't recall what his travel was based around. But it was a series of public engagements related to another part of his portfolio.

[Jankowicz Exhibit No. 11

Was marked for identification.]

BY [REDACTED]

Q Okay. I'd like to enter as exhibit No. 11 a Twitter memorandum from April 28th, 2022.

Sort of skipping around here.

A So this is 11?

Q Yes, 11.

A Okay.

Q Okay. And on the last page, page 4, the page numbers are kind of towards the right there.

It says that the staff responsible for briefing memo was Ms. Jankowicz.

So did you draft this memo?

A In coordination with one other staffer who -- I guess it's probably my phone number that's blacked out. But there was another staffer involved.

Q Do you remember who was involved?

A Elizabeth Kozey.

Q And what was Ms. Kozey's role?

A She was the detailee from Policy that I mentioned before that was working to support the board.

Q Was she an attorney?

A She was not an attorney. She was a long-time civil servant from CISA.

Q And when you were kind of working to set this meeting up or interacting with Twitter, what was your understanding of who was planning to attend the meeting?

A Under Secretary Silvers and one staffer, whose name I can't recall, but who was traveling with him to the bay area.

Q One of Under Secretary Silvers' staffers?

A That's correct.

Q And did you have an understanding of who from Twitter's side would attend?

A We were hoping that Nick Pickles and Yoel Roth would attend. But this

request for a meeting really never went beyond initial emails.

Q And on page 1 of the memo, under the background section, it says, "Propose that Twitter become involved in Disinformation Governance Board Analytic Exchanges on Domestic Violent Extremism and Irregular Migration."

A Uh-huh.

Q How would you define analytic exchanges?

A Yeah. So the Analytic Exchange Program is something that has been going on at DHS. It notes that CISA has an analytic exchange program as well.

This is an opportunity for working-level staff at both the industry and government sides of things to talk about things that they're seeing in their particular issue space. It's not about making recommendations of any sort. It is just an exchange of information basically.

Q So Under Secretary Silvers was going to propose that Twitter become involved so that they could be informing DHS what they were seeing? Is that what I'm understanding?

A It goes both ways. The information goes both ways. So Twitter could say, "We've been seeing these coyotes saying X, Y, and Z about smuggling people. These are narratives that you should be informed of to protect the homeland," right? That sort of thing, and vice versa.

Q Were there existing analytic exchanges that you were aware of?

A As it notes here in the memo, Twitter was involved in the CISA analytic exchange program on election security.

Q And do you know who was involved in those analytic exchanges?

A I don't know the exact members, no.

Q But it would be DHS and then the private sector that tracked --

A Outside entities, yeah.

Q Outside entities. And how would you define outside entities? Would that include tech platforms, academics, private sector institutions?

A To my knowledge, each analytic exchange has kind of a memo that governs it, and so each one has different participants. But it could involve any of the entities that you've mentioned.

Q So if the Disinformation Governance Board analytic exchanges kind of got up and running, there would have been a memo? Is that what I'm understanding?

A That's correct.

Q So these analytic exchanges never --

A Not even close.

[Laughter.]

Q Were you working with other individuals to be involved in the analytic exchanges?

A Do you mean within or outside of government?

Q Both.

A So the lawyers who were working with me were responsible for kind of creating the architecture for the analytic exchanges. We were still working on that. It was very nascent at the time.

And then I think the analytic exchanges may have gotten mentioned in very loose terms to the Global Internet Forum to Counter Terrorism. They might have been involved in the DVE-related one. And that will have been it.

Q And what do you mean by that architecture of the analytic exchanges? Can you explain that?

A Yeah. So one of the key things about these exchanges is that they have

rules governing them so that no one misunderstands what they're about. They are simply an exchange of information.

So under no circumstances should there be recommendations issued, especially to the kind of outside-of-government entities. That is, like, enshrined in the rules.

They have very narrow foci. So, like, this DVE exchange, we wouldn't be able to bring up something about election security there and vice versa. That's to make sure that they don't create kind of a snowball effect and create more -- or like the semblance of impropriety where there is none.

Q And then that next bullet, it says, "Ask what types of data or information would be useful for Twitter to receive in Analytic Exchanges or other ways the Department could be helpful to Twitter's counter-MDM efforts."

A Uh-huh.

Q What was your understanding of Twitter's counter-MDM efforts?

A This would be within Twitter's policy shop to identify and respond to disinformation on the platform.

So if we go back to the Iranian example I used before, I think the idea here was to share information and say, "Okay, we've got this Iranian email chain that is trying to disenfranchise voters. Here you go." Right? Like not dictating what any platform should do, but just providing information that we might have that they do not have.

Q And the bullet, the first bullet under the background section, it says, "Note, Nick and Yoel both know DGB Executive Director Nina Jankowicz."

Did you know them from your work prior to the DGB?

A I had met them at conferences, yes.

Q At conferences? And how long had you known them for, would you say?

A I met each of them once. I met Nick Pickles once, in 2018, and Yoel once,

in -- I believe it was 2020. It's in that hazy prepandemic couple of months. I think it was the beginning of 2020. But those were the only interactions we had in person.

Q And did you interact with Yoel and Nick during your time at the board?

A I did not.

Q So you didn't reach out to them regarding this meeting?

A As I testified earlier, I can't recall who sent the initial email, if I was just copied on it or if I sent the initial kind of outreach.

But other than that initial outreach about the meeting, we did not interact. And, again, I'm not even sure that was me. It might have been something that I was copied on or vice versa.

Q And earlier in the deposition you talked about Facebook reaching out in April.

Do you remember kind of who was going to be invited to attend that meeting? Or what stage were you at with that meeting?

A To my knowledge, Nathaniel Gleicher reached out to Under Secretary Silvers, who was unable to take the meeting, so he bounced it to me. And at least Sam Vinograd and Jen Daskal were going to be involved.

It was going to be a virtual meeting, because we were all in different parts of D.C. on that day. And I'm not sure who Facebook intended to bring to the meeting.

Mr. Biggs. Can I go back to that last document you had just real quick before you leave it?

██████████ Yes, sir.

Mr. Biggs. Sorry. I thought you had more, so I was -- I didn't want to interrupt.

██████████ That's fine.

Mr. Biggs. But I just didn't want you to leave it.

So I'm looking at the document. And this -- as I understand correctly -- it's 11, whatever it is -- the Twitter document. You prepared that with a colleague. Is that --

The Witness. As most briefing memos, yeah, it was kind of cobbled together from preexisting documents.

Mr. Biggs. Okay. And that's what I wanted to get at.

The Witness. Sure.

Mr. Biggs. Because you actually have -- you don't have policy recs and you don't have operational recs. What you do have, however, are substantive factual statements in here in various places.

So, for instance, under Ukraine, the second bullet point on page 4, it talks about, "Following actions taken by the U.S. and allies, we have seen increased instances of MDM."

And I don't know whether I'm to take it that you put that substantive statement in, that whole paragraph, or you got that from someone else or some other part. So I'm asking for clarification.

The Witness. Sure. Absolutely.

So I would say that, on page 3, the first chunk, where it says, "DHS Efforts on MDM," introduce the DGB, talk about the DGB, that's the only part of the memo that deals with the board.

The rest is talking points for the Under Secretary to update the Twitter colleagues about work that was ongoing at the Department, not something that I was personally involved in, and had been, again, kind of copied over from other briefing memos.

Mr. Biggs. That's what I want to make sure I understand.

So you must have had interaction with other colleagues and said, "Look, Under Secretary is going to be out there, whoever is going to be out there, and I want to know

what we should hit on."

They said, "We're just going to talk about Ukraine. They're going to talk about DVE."

And so you took their talking points and basically copied and pasted it in here? Is that fair to say?

The Witness. So the staffer that was going to be accompanying him on the visit called me up, said, "Hey, we'd like to set up a meeting with Twitter. Can you put together a notional agenda and talkers for us in case the meeting goes forward? We'd like to introduce the board. We want to talk about public-private partnerships, and we want to talk about current activities." And she listed off a couple.

And then DHS has a SharePoint, so all of the documents are there. I grabbed what I thought was relevant, as did my colleague Liz.

Mr. Biggs. I see. Okay. Thank you very much.

The Witness. Uh-huh.

BY [REDACTED]

Q And going back to the meeting with Facebook, what did you understand the context of that meeting was going to be?

A It was going to be a meet and greet.

Q Did you know, was there a plan to ask them to get involved with the analytic exchanges as well?

A It was -- I don't even think we had an agenda for the meeting. And it got moved a million times because of competing schedules. So we didn't have a solid plan beyond saying, "Nina is at DHS now. Here is kind of the broad framework for the board. What's up with you?"

Q And you also said that you received an email from Substack. Is that

correct?

A Uh-huh.

Q And they reached out to you?

A That's correct.

Q And do you remember what they wanted to discuss?

A Again, I think it was kind of just a meet and greet, get on the radar sort of situation.

Q Did you ever go forward with the meeting?

A We did not.

Q Did you have -- did you know anyone at Substack?

A I believe the woman who emailed me knew a mutual friend of mine.

Q And do you remember who that mutual friend was?

A The mutual friend?

Q Yeah. Was it like a DHS official, or --

A No. It was a personal friend.

[Jankowicz Exhibit No. 12

Was marked for identification.]

BY [REDACTED]

Q I'm going to enter an email from May 2nd, 2022, between Under Secretary Silvers; you, Jankowicz; and another DHS official. This will be exhibit No. 12.

Just take your time to review.

A Thanks. Okay.

Q So on May 2nd, 2022, Under Secretary Silvers forwarded you an email from a technology company requesting a meeting to discuss the board.

As part of the forwarding message, he said, quote, "What have you been doing re:

requests from platforms?"

Do you recall receiving this email?

A Yeah, vaguely.

Q Do you know the company that was referred to in this email?

A I mean, looking at it, it looks like it's probably Google, but I don't know for sure.

Q Do you know if the meeting ever took place?

A Not while I was at DHS, it did not.

Q And in the email from the company, which may or may not be Google, it says, "Hi Rob and KelliAnn. I hope that this finds you both well! With the recent announcement of the misinformation, disinformation governance board, we would welcome the opportunity to meet and discuss the goals and how we can be most helpful in achieving them."

What did you understand would be a helpful role for a tech company such as this one?

A It's a good question.

I think, again, especially at these early stages, we were just in the beginnings of meeting and greeting and saying, "This is what we hope to achieve. Would you like to potentially be involved in these analytic exchanges?" if they had gone forward.

But it's very speculative, and so I can't really say what would have been discussed at a meeting with maybe Google.

Q Yeah. And what did you -- why were these tech companies reaching out? You know, Substack reached out. Facebook reached out. This tech company reached out.

Why do you think they were reaching out?

A Speculation. Again, I'm not in their heads, and certainly I've been extremely critical of those tech platforms throughout my career.

But I think there is a degree of reticence about, in particular, foreign disinformation and the ways that foreign disinformation has been allowed to flourish on those platforms, especially back in 2016.

And there is an idea that these exchanges of information between government and social media platforms can help both entities stay ahead of the curve and achieve more together.

Q And with the charter and the work that you were doing with the rollout and getting the board up and running, did you see any sort of relationship between the DGB and tech platforms?

A Well, I think in the context of the analytic exchanges that was what was envisioned. And, again, those would be very narrow, very bounded, and very driven by specific threats that we saw.

Q Would the DGB have put into place any guidelines, or was it contemplated that the DGB would put any guidelines in place regarding content moderation?

A Absolutely not. That was not something that I saw as within the DGB purview. And certainly these platforms are private entities and can enforce their content moderation guidelines and make them as they see fit.

Q And in response to the Under Secretary's message, on the first page here, you say, "I haven't gotten any from the big folks yet."

A Uh-huh.

Q What did you mean by "big folks"?

A Yeah. Facebook, Twitter -- Facebook and Twitter basically.

Q Okay. So to put this in context, this was before the outreach from

Facebook?

A So no. The outreach from Facebook would have been earlier. This is from kind of in the aftermath of the board announcement.

Q Okay.

A I hadn't gotten any outreach from Twitter and Facebook.

Q And you said that that call with this tech company never took place, to your knowledge?

A Correct.

Q Did you interact with any other tech companies while working for the board?

A Not to my knowledge, no.

Q Did you ever interact with any tech companies regarding MDM?

A During my time at the board?

Q Yes.

A Other than the meetings that we have discussed that never occurred, no.

Q To your knowledge, were any other DHS employees that were detailed to work on the board taking meetings with tech companies?

A They were not.

Q Do you know if Under Secretary Silvers or Ms. Daskal or Ms. Vinograd had any meetings?

A Not -- I -- they might have had meetings that weren't related to the board. But if there was a board-related meeting, I would have been there.

Q And to the extent that there were interactions between the DGB and tech companies, as you've said, it would be more of an exchange of information? Is that correct?

A Yes.

Q And that's what you foresaw?

A Uh-huh.

Q That there would be no role for the DGB and telling them what to moderate?

A Absolutely not.

██████████ We can go off the record.

[Recess.]

██████████ We can go back on the record. It's 2:07.

BY ██████████

Q Thank you. Again, I know it's been a long day.

You know, we've been talking a lot about disinformation and DHS' role. And I think there is some kind of baseline things that we never got established. So I want to go back, take a step back.

You've been publicly referred to as an expert in disinformation, right?

A Yes.

Q Okay. And you've published two books on it? Is that right?

A That's correct. Yeah.

Q Okay. And how many articles do you think?

A Probably about a hundred in different formats, yeah.

Q Okay. All right. So you -- I think we can stipulate that you are an expert in this area.

So talk about the analytic exchanges.

Why is DHS concerned about disinformation?

A I think we have seen a number of areas that fall within DHS' portfolio. We've named many of them today -- election security, irregular migration, domestic violent extremism -- which, by the way, is that third pillar I could not remember

before -- DVE, disasters -- that all have elements of disinformation and falsehoods that people are using for -- often for profit, right? The coyotes who are smuggling people are using them for profit. The folks who are trying to scam people out of their disaster relief are doing so because they can make money from it.

And I think that should be pretty anathema to most Americans. And it, frankly, makes Americans less safe. And that is why DHS is concerned.

Q And what about foreign disinformation in particular? Does that also make Americans less safe?

A Yeah. I think not only does it make Americans less safe, it makes us vulnerable to foreign interference. But it also often deprives people of their democratic rights. It either encourages them to stay home and not vote, or it puts false information out there so that they're misled about their decisions at the voting booth.

And I think every American should be concerned about foreign entities that are interfering in our election process. And of course CISA, that's a part of their mandate.

Q And when was CISA created? Do you know?

A CISA was created in the Trump administration, I believe.

Q Okay. And that would have been under Secretary Nielsen?

A Yes. And Christopher Krebs was the first head of CISA.

Q Okay. And do you -- you don't remember when the actual bill passed that established CISA, do you?

A I don't.

Q Okay.

Okay. We talked a fair amount in the first -- or, sorry, in the hour we just went through -- about what's been described as the botched rollout from the DHS perspective.

I want to look a little bit about the external forces that were helping to drive that.

A Uh-huh.

Q And I want to start with April 27th, which was the day that the board was actually rolled out, correct?

A Uh-huh. Yes.

Q So the board was first announced in a April 27th, 2022, Politico Playbook blurb, right?

A Uh-huh, yes.

Q Okay. And I want to actually introduce that blurb into the record.

A Okay.

Q That will be -- oh, we are -- what exhibit are we on? Twelve, maybe?

Mr. Herman. I believe 13.

████████████████████ Thirteen.

██████████ Thirteen.

[Jankowicz Exhibit No. 13

Was marked for identification.]

BY ██████████

Q And it's on -- this is -- obviously this is, I think, an email newsletter, and so it all appears as one page on the screen. But for our printed off purposes, I'm going to look at page 10. We've actually highlighted the blurb here.

So it says -- and have you -- you saw this -- you've seen this before?

A Yes.

Q Okay. It says, "DHS is standing up a new Disinformation Governance Board to coordinate countering misinformation related to homeland security, focused specifically on irregular migration and Russia. Nina Jankowicz will head the board as Executive Director. She previously was a disinformation fellow at the Wilson Center,

advised the Ukrainian Foreign Ministry as part of the Fulbright Public Policy Fellowship and oversaw Russia and Belarus programs at the National Democratic Institute."

A Uh-huh.

Q In your opinion, was this three-sentence blurb an accurate description of the board?

A It was accurate, if vague.

Q Right.

A Yeah.

Q So it probably could have been -- maybe potentially could have been longer, but there is nothing in here that's inaccurate?

A Correct.

Q Okay. So this was released at 6:58 a.m., and then, I think, updated at 7:39 a.m.

A Uh-huh.

Q Within a few hours that afternoon an individual named Jack Posobiec started tweeting about the board.

A Uh-huh.

Q Are you familiar with Mr. Posobiec?

A I am.

Q Okay. What's your understanding of who he is?

A He is a conservative commentator, is the nicest thing I can say about him.

[Jankowicz Exhibit No. 14

Was marked for identification.]

BY [REDACTED]

Q Okay. I'm going to introduce as exhibit 14 a June 10th, 2017, New York

Times article entitled "A Pro-Trump Conspiracy Theorist, a False Tweet and a Runaway Story."

So we've highlighted the first couple sentences here, and I'm just going to read them into the record quickly.

It says Mr. Posobiec "had his Twitter sights set on James B. Comey.

"A pro-Trump activist notorious for his amateur sleuthing into red herrings like the 'Pizzagate' hoax and a conspiracy theory involving the murder of a Democratic aide, Mr. Posobiec wrote on May 17th that Mr. Comey, the recently ousted FBI director, had 'said under oath that Trump did not ask him to halt any investigation.'

"It mattered little that Mr. Comey had said no such thing. The tweet quickly ricocheted through the ecosystem of fake news and disinformation on the far right, where Trump partisans like Mr. Posobiec have intensified their efforts to sow doubt about the legitimacy of expanding investigations into Mr. Trump's associates' ties into Russia."

And then the article goes on to describe how Mr. Posobiec's inaccurate and misleading tweet spurred a, quote, "alternative first draft of history" in conservative media about what Mr. Comey said.

A Uh-huh.

Q So this is an example in the past of Mr. Posobiec taking something out of context and spinning it and making it into, quote, "alternative draft of history," right?

A Uh-huh.

Q Okay. And I also want to introduce into the record an exhibit -- as exhibit 15 -- an article from the Southern Poverty Law Center summarizing past anti-Semitic statements and pro-White nationalist statements from Mr. Posobiec.

We actually have two articles. I want to introduce them as 15 and 16?

[Jankowicz Exhibits No. 15 and 16
Were marked for identification.]

BY [REDACTED]

Q The first one's dated July 8th, 2020. It's entitled "Twitter Gave Free Rein for Jack Posobiec to Publish Anti-Semitic Hate and Disinformation."

The second is dated July 8th, 2020. It's entitled "Jack Posobiec's Rise Tied to the White Supremacist Movement."

And I'll give you a second to look through these, and then I'm going to ask if they're generally consistent with your understanding of his background to the extent that you're familiar with him.

Are those generally consistent with your understanding of his background?

A Yes.

Q Okay. And they're long articles, so I'm not going to read them into the record, but they'll be available as part of the full record.

So Mr. Posobiec tweeted about you several times on April 27th. Are you familiar with those tweets?

A Yes, vaguely.

Q Okay.

A Uh-huh.

Q I'm going to walk through them. And I know they may be a little offensive, so I apologize.

A Yep.

[Jankowicz Exhibit No. 17
Was marked for identification.]

BY [REDACTED]

Q So his first tweet was posted at 2:13 p.m. on April 27th, 2022. And we will mark this as exhibit 17.

Pretty straightforward. It says, "Breaking: Biden Admin Department of Homeland Security to Create a 'Disinformation Governance Board' dedicated to 'countering misinformation.'"

Were you aware of this when it was posted?

A Yes, I was.

Q So he then moved on to target you directly.

A That's correct.

Q So we're going to introduce as exhibit 18 his 2:20 p.m. tweet. It's a photograph of you appearing on what appears to be an MSNBC show.

[Jankowicz Exhibit No. 18

Was marked for identification.]

BY [REDACTED]

Q It says, "The DHS board will be headed by Nina Jankowicz, who once claimed militarized Trump supporters would show up at the polls with weapons to intimidate voters."

Are you -- were you familiar with this tweet when it was posted or shortly thereafter?

A Yes.

Q Okay. Was Mr. Posobiec's statement that you "once claimed militarized Trump supporters would show up at the polls with weapons to intimidate voters" accurate?

A No.

Q Okay. And there is a photo in here. It looks like it's showing you on an

appearance at an MSNBC show hosted by Ali Velshi. The caption's a little faded out, so it looks like, "how to lose information," something?

A Uh-huh.

Q Do you recall this appearance?

A I'm not sure what the specific appearance was, but I think the chyron probably says something about my book. That's the titled of my book, "How to Lose the Information War."

Q Okay. And so to the best of your knowledge, and realizing that you might not know the appearance, did it have anything to do with what Mr. Posobiec wrote in his tweet?

A I'm not sure. I'm not sure.

Q Okay. He then posted another tweet at 2:24 p.m., again targeting you. We're going to introduce that as exhibit 19.

[Jankowicz Exhibit No. 19

Was marked for identification.]

BY [REDACTED]

Q It reads, "Jankowicz is also known for forming a Harry Potter 'wizard rock band' known as The Moaning Myrtles."

A Yes. It's okay.

Q What was your reaction to this tweet?

A I mean, I wasn't sure how what I did when I was a teenager was relevant to my professional career. Clearly Mr. Posobiec was trying to embarrass and undermine me.

Little does he know that people who have backgrounds in musical theater are very hard to embarrass.

[Laughter.]

So it didn't work.

Q But your impression was that he posted this basically as an attempt to embarrass you, you said?

A A gotcha moment, yeah.

Q Okay. He then posted another tweet. He referenced a tweet you posted in October 2020. I'm going to introduce this as exhibit 20.

[Jankowicz Exhibit No. 20

Was marked for identification.]

BY [REDACTED]

Q He said, "Here is Nina in 2020." And then he posted a tweet that you posted in 2020.

Did he take this out of context?

A He did. So this was during the Presidential -- one of the Presidential debates, and I was live-tweeting the debate. These are the words of both candidates, Biden and Trump, kind of a summary of what the candidates were saying.

So then candidate Biden was talking about the letter that 50 former national security officials signed, and Trump responded: Russia, Russia, Russia.

And then after this happened people believed that I had made some sort of pronouncement about the content of the laptop, when I had done no such thing.

Q And are you aware that he actually just used a screenshot of your tweet, so he didn't actually even link to your tweet so that people could get the context? He just posted this out there?

A Yes.

Q Okay. And so that probably helped propel some of the false narrative,

right?

A To some extent. I don't believe that a lot of people do a lot of research when they're looking around Twitter threads. But yes.

Q So then he posted two more tweets, and we're going to introduce them just to have the full context.

A Uh-huh.

[Jankowicz Exhibits No. 21 and 22

Were marked for identification.]

██████████ He tweeted at 2:47 p.m. a summary of your biography. And he doesn't actually cite the source. And he says the comment -- he has the comment, "Jankowicz formerly worked as an advisor to the Ukrainian government under a Fulbright-Clinton scholarship (sic)."

And at 3:29 p.m., he tweeted the Politico announcement with the quote, "What could go wrong?"

The Witness. These are exhibits? Were you introducing this?

██████████ Twenty-one and twenty-two.

Mr. Herman. Twenty-one and twenty-two.

██████████ Twenty-one and twenty-two, yeah.

So shortly thereafter, Ms. Hemingway -- do you know -- are you familiar with Mollie Hemingway?

The Witness. I'm not.

██████████ Mollie Hemingway is a -- the editor-in-chief of The Federalist. She's a conservative journalist. And she's the author of the book "Rigged: How the Media, Big Tech, and the Democrats Seized Our Elections."

The Witness. Okay.

[Jankowicz Exhibit No. 23

Was marked for identification.]

BY [REDACTED]

Q After -- in the middle of Posobiec's tweet thread about you, she posted a comment in response to his very first tweet. It said, "Ministry of Truth."

Have you seen this tweet before?

A I don't believe I have.

Q So we looked back. I think this was the first time that that was -- are you familiar with the words "Ministry of Truth" being used prior to 3:16 p.m. on April 27th, 2022, in regard to the Disinformation Governance Board?

A Not to my knowledge.

Q Okay. So later in that day, just to lay out everything that happened on April 27th, Mr. Posobiec tweeted that Ministry of Truth was the number one trend in the United States after news the Biden admin launched a Homeland Security "Disinformation Board."

This is going to be exhibit 24.

[Jankowicz Exhibit No. 24

Was marked for identification.]

BY [REDACTED]

Q So we've kind of laid out the story here of how all of this goes down. Could you summarize in your words what was happening on kind of conservative social media on the day of the rollout?

A I would say that a lot of baseless speculation and lying was occurring with an intent to undermine the board effort and also to specifically put me in the crosshairs of individuals who wished me harm.

Q All right. And, in fact, are you aware that the next day Mr. Jordan actually brought up your name during a -- during testimony -- during Secretary Mayorkas' appearance before the Judiciary Committee?

A I am.

Q And are you aware of whether the statements he said that day are accurate or not?

A There have been a lot of statements that Chairman Jordan has made about me, so I'd have to look at those specific statements.

Q But you're aware that he made statements about you?

A Yes.

Q Are you aware that he tweeted about you the next -- that afternoon?

A I am aware. I don't know the content of the tweet. But I know he started to tweet.

Q Was there any effort by Mr. Jordan or his staff to reach out to you that day to verify the facts about the Disinformation Governance Board before he spoke with Mr. Mayorkas or before he tweeted?

A Not to my knowledge.

Q Okay. And so what was out there, though, was this spin in conservative media, right?

A That's correct.

Q Okay. And then, sometime later on, you got a letter from Mr. Jordan, right?

A I believe in May, yes.

Q Okay. And do you know if the statements made in that letter were accurate?

A I believe most of the letters that we received from Congress, from the congressional Republicans, included allegations or misstatements of fact about the board, about my previous statements, and about my work.

Q And are you aware that at some point in May Ms. Boebert, who is a Member of Congress, introduced a bill to dismantle the Disinformation Governance Board?

A I am aware of that.

Q And that was before you -- before the board was actually paused, right?

A Yes.

Q And are you aware that Mr. Jordan was actually at the press conference announcing that bill?

A I was not aware.

Mr. Ivey. Could I ask --

██████████ Yeah.

Mr. Ivey. -- did the death threats and calls that you started getting start happening at around the time of the Posobiec text messages and Twitter and as well as Mr. Jordan's comments?

The Witness. It was within days, so -- I'm a disinformation researcher, right? It was clear which way this was going by that evening. That evening, my husband and I purchased a security camera for the front of our house.

By the next day, I had engaged a private security consultant, because I didn't believe that DHS was doing the work necessary to look at the dark web and kind of respond to the threats, and I wanted to be aware of them.

And by that Friday -- so the board was announced on a Wednesday -- by that Friday, that private security consultant had told me that I -- it was his estimation that I

should leave my home.

Mr. Ivey. So you called a private security firm on the -- was that the 27th?

The Witness. I think it was the next day, the 28th.

Mr. Ivey. The next day?

The Witness. Yeah.

Mr. Ivey. Okay.

The Witness. So, within that 48-hour period he made the estimation that I should leave my home and go somewhere that was kind of off grid.

Mr. Ivey. I think you testified earlier that sometimes if you -- sometimes statements get made and the government needs to be careful about how it responds, because it could give it a bigger platform and more oxygen.

The Witness. Yeah.

Mr. Ivey. Yeah. Is that your sense about what happened here?

The Witness. I'm not sure, Congressman. I think this was personally -- my estimation is that it was more of a case of the government not being able to respond rapidly.

I think there was a desire to respond. The wagons were circling, and they just kept circling and circling and circling, and there was just not -- nobody -- nobody felt they could -- they could call it and get a response out there. It was less about giving it oxygen.

At this point Mr. Posobiec has millions of Twitter followers. It was clear -- and there is a clear pipeline often between folks like him and cable news networks like FOX. And so I thought it was clear that that was going to be on TV by the next day.

Mr. Ivey. Uh-huh. And so just the timeline -- and I'm looking back for one of these exhibits.

The Witness. Uh-huh.

Mr. Ivey. So the announcement is made by Homeland Security about the board.

The Witness. Uh-huh.

Mr. Ivey. And that's on -- is that the 26th?

The Witness. 27th.

Mr. Ivey. 27th. Later on the same day, Mr. Posobiec starts putting out these statements.

The Witness. Uh-huh.

Mr. Ivey. And was it the 28th that Mr. Jordan made comments at the hearing?

██████████ April 28th, correct.

Mr. Ivey. April 28th? And then on the -- did you get the home security on the 28th or the 29th?

The Witness. Security camera on the 27th, private consultant on the 28th, yes.

Mr. Ivey. Okay. And then I think the statement of facts is what I'm looking for. Yeah. Fact sheet. That was released on May 2nd.

The Witness. Yep. Took way too long.

Mr. Ivey. Yeah. So the fact sheet came out too late.

The Witness. Yes.

Mr. Ivey. But the fact sheet was necessitated by the false statements that had been made leading up to that point.

The Witness. I would say that the fact sheet should have been released when we made the announcement. I don't -- again, I can't speculate as to why they decided not to release the fact sheet and then we went on a 4-day editing spree after that.

But, yes, they decided to put the fact sheet out, and by that point the vacuum was so large that it barely made a dent in it.

Mr. Ivey. Okay. And the vacuum that they left was filled by Mr. Posobiec and others?

The Witness. And many other commentators, Members of Congress, and influencers.

Mr. Ivey. Okay. And some of the Members of Congress we just talked about, Mr. Jordan and Ms. Boebert, I guess?

The Witness. Yes. And I consulted my notes, and Mr. Issa indeed did make a lot of statements about me despite his memories to the contrary.

Mr. Ivey. And that was during this timeframe?

The Witness. Yes.

Mr. Ivey. All right.

Go ahead.

██████████ Okay.

[Jankowicz Exhibit No. 25

Was marked for identification.]

BY ██████████

Q On May 12th Mr. Jordan posted a tweet that I'm going to introduce as exhibit 25, and we're actually introducing an archived copy of this for reasons that I'll explain in a minute.

A Twenty-five?

Q Twenty-five. We just doubled the number of exhibits.

[Laughter.]

Have you seen this tweet before?

A Yes.

Q Okay. And, before we get into discussing it, are you familiar with the

Internet Archive?

A I am.

Q Can you explain briefly what the Internet Archive is, or what your understanding is?

A Sure. The Internet Archive, sometimes known as the Wayback Machine, allows any individual to capture essentially a moment in time on the internet. If that web page is to change in the future, it will have captured it based on that date.

Q Okay. So on the tweet that I just introduced or the exhibit that I just introduced, see in the upper right-hand corner where it says May 12th, 2022, and that's in yellow, highlighted in black?

A Yes.

Q What's your understanding of what that means?

A That this is what this tweet looked like on May 12th, 2022.

Q Okay. So we've introduced the archived version of this because it references a Disclose.tv post --

A Uh-huh.

Q -- which is no longer in existence. So I'm actually going to introduce now the tweet. It's still up, but as it looks now, just so we have a complete record, and we'll introduce this as 26.

Okay. And this will be 26.

[Jankowicz Exhibit No. 26

Was marked for identification.]

BY [REDACTED]

Q So you can see here that it says the tweet's unavailable. It's been removed. So going back to the version as it existed on May 12th, 2022, Mr. Jordan tweeted,

"1984." And then he has a link to a video on a Disclose.tv lead.

Are you familiar with this video?

A Yes.

Q And can you describe -- it's a -- how long is it, the version in the Disclose.tv link?

A It is one minute long. Would you like me to describe kind of the contents of it?

Q Sure.

A This is a video of me discussing the then nascent Birdwatch program on Twitter. I was asked a question in a discussion that I was appearing in about what Birdwatch is. And now it's known as Community Notes.

This is an entity where -- or a program through which individuals on Twitter can add context to misleading tweets.

I, in order to kind of simplify the concept for the individuals with whom I was speaking, I said that they could edit the tweets.

And this video was stripped of context. It was -- my remarks were cut short. It was stripped of its time in which it took place, which had been earlier. It was way earlier than my joining the board, January 2021.

And it was presented as if it was my current beliefs, not a description of a program that Twitter had put into place, and that it was something that I wanted, when, indeed, actually, further on in the video, I actually criticized the program.

Q So is it fair to say the one-minute video that Mr. Jordan linked to just made it sound that you were endorsing editing tweets?

A Correct. I would refer to it as a manipulated video.

Q Okay. And the actual full context, do you know how long the actual

conversation was it was taken from? Was it more than an hour, for example?

A I believe it was at least an hour long.

Q Okay. And immediately before the section -- so the one minute of you talking about this product, immediately before that, was it clear that somebody had asked you a question that you were responding to?

A It was clear in the longer version of the video, yes.

Q Okay. And what Mr. Jordan posted was manipulated. It removed that section.

A That's correct.

Q Okay. And, in fact, at this point the original host of that video has taken it down?

A Oh, yeah. I'm not aware of that.

Q Okay.

A It's possible that that happened.

Q Yeah. So the current version of the tweet shows that the tweet -- that the video has been taken down.

A Oh, this, yeah.

Q Yeah.

A Okay.

Q So Mr. Jordan relied on this kind of manipulated video to say "1984," right?

A Uh-huh.

Q That's the comment he made.

What's your takeaway from that? Do you think that was an honest assessment of your words at that conference?

A No, I don't believe so. It was an attempt to scaremonger people into

thinking that I wanted to edit their tweets or add context to tweets, and it fit with the narrative that I was going to be an all-purpose arbiter of truth, which couldn't have been farther from the truth.

Q And did anybody on -- from Mr. Jordan's staff ever reach out to you to apologize for posting a manipulated video of you?

A They did not.

[Jankowicz Exhibit No. 27

Was marked for identification.]

BY [REDACTED]

Q Okay. And I actually, just to close out this line, I want to introduce as exhibit 27 an AP article. It's dated May 14th, 2022, just 2 days after Mr. Jordan posted his tweet. It says, "Old comments by disinformation board director misrepresented online."

I'm going to ask you to review and then ask if this kind of accurately assesses the misstatements in the video -- or the way the video misrepresented what you said, I guess.

Does that accurately represent kind of what we just talked through, the way your words were manipulated?

A It does.

Q Okay.

I want to move on to another tweet, and I apologize for, like, putting you awash in paper here.

A It's okay.

Q Mr. Gaetz posted a tweet on May 16th, 2022, that I'm going to introduce as exhibit 28.

[Jankowicz Exhibit No. 28

Was marked for identification.]

██████████ And this links to an article that we'll introduce as exhibit 29.

[Jankowicz Exhibit No. 29

Was marked for identification.]

██████████ Have you seen this tweet before?

[2:37 p.m.]

The Witness. I think I have, yes.

BY [REDACTED]

Q Okay. And are you familiar with the Revolver article?

A Unfortunately, I am.

Q Okay. So what -- can you summarize briefly what the article, the Revolver article says?

A So it is a conspiracy theory that alleges I have been involved with entities that seek to censor independent thought throughout the West broadly.

Q And --

A Although it's hard to state --

Q Right.

A -- because it's a long and meandering thing.

Q And the article refers to the Integrity Initiative. Do you think that conspiracy theory about the Integrity Initiative is true in your experience?

A It is not true. And I'll just testify under oath that, although my name appears on a spreadsheet, I have never had any sort of interaction with the Integrity Initiative. I happened to be, I guess, on a mailing list.

Q Okay. And that was going to be my question. So the article is not an accurate representation of any work that you've done or any role that you've played?

A Correct.

Q Okay. And -- but Mr. Gaetz linked to this in his tweet, and he posted, Oh, my, as his statement. What's your interpretation of the meaning of that?

A Again, I think this is more scare mongering and incitement against me. And I would say also that the editor-in-chief and kind of, I believe, the author of this article is

someone who has, even prior to my government service, incited pretty severe misogynistic and anti-Semitic hate against me, and I believe he has a relationship with Mr. Gaetz in the past.

Q Okay. And so, what was your reaction to Mr. Gaetz amplifying this -- this misinformation or this -- could we call it misinformation? Is that dis --

A I would say it's disinformation.

Q Okay. What was your reaction to Mr. Gaetz amplifying this disinformation about you online?

A I wasn't surprised, because, again, Mr. Gaetz has had a relationship with Mr. Beattie, who runs Revolver, which is known for the conspiracy theories that they spread. And it was just another conspiracy theory in the very well-stocked quiver that the GOP was using during this time to target me and the work at the board.

Q Okay. So when we talked earlier about kind of the bungled rollout of the plan, it was happening in the environment of these conspiracy theories and the scare mongering being amplified, right?

A Yes.

Q Do you think that had an impact on how DHS was able to respond to, you know, the -- what you -- what we've referred to as the bungled rollout?

A Absolutely. I mean, I still wouldn't excuse the way that DHS chose to respond, but I think the environment was extremely hostile.

[Jankowicz Exhibit No. 30

Was marked for identification.]

BY [REDACTED]

Q Okay. And the last tweet I'm going to introduce, we'll introduce it as exhibit 30. This is a tweet from Mr. Jordan on May 18, 2022, when the board was

dismantled or after the board was dismantled. It's -- it retweets or reposts a Washington Post reporter -- or, I'm sorry, a FOX News reporter saying that the board has been dismantled, and Mr. Jordan says, huge win for free speech.

Were you aware of this tweet when it was posted?

A Yes.

Q Okay. What was your reaction to this?

A I actually believe that it is not a win for free speech. I think that, you know, without the board and activities to put guardrails on certain activities that are being undertaken in the Federal Government that I -- I'm worried about what a potential other administration might do with powers like those that -- that DHS or other agencies have.

And my -- as I've testified, my desire was to put those guardrails on. So it was sad for me, but it was also not surprising because Chairman Jordan was actually one of the first people to spread disinformation and lie about my past statements, so it was expected that he would react this way.

Q Do you think this was any type of a kind of a claim of victory by Mr. Jordan that his efforts had come to fruition and he'd taken the board down?

A Absolutely. We saw not only Representative Jordan celebrating, but certainly Representative Boebert. I believe she posted a picture of the board dead and buried, which itself is a bit of a dog whistle. And other members of the GOP were also celebrating the dissolution of this working group.

Q Okay.

Mr. Ivey. I was curious, you mentioned earlier about an advisory council?

The Witness. Uh-huh.

Mr. Ivey. And that -- I think you mentioned Jaime Gorelick, and was that Chertoff?

The Witness. Chertoff, yeah.

Mr. Ivey. And what was the context of that? They had a connection with your board in some way?

The Witness. No, no real connection with the board, no. The Homeland Security Advisory Council was -- is, to my knowledge, an advisory council made up of people from different political parties that works with the Secretary to kind of advise him on broad issues. When the uproar about the board began based on these falsehoods, the Secretary and his advisors decided that the advisory council would advise him on the fate of the board. But I never, during my time at DHS, met with anybody on the council.

Mr. Ivey. And is it your understanding that they advised dissolving the board?

The Witness. Yes.

Mr. Ivey. Okay. Did they have any role or decision-making with respect to the board prior to that, to your knowledge?

The Witness. They did not.

Mr. Ivey. Okay. That's it for me.

██████████ Thank you. We can go off the record.

BY ██████████

Q We'll go back on the record. It's 2:51 p.m.

Ms. Jankowicz, do you understand that you're here under subpoena?

A Yes.

Q And do you understand that you're required to answer questions today?

A Yes.

Q Where do you currently work?

A I work at the Center for Information Resilience.

Q And what's your position with the Center for Information Resilience?

A I'm the vice president for U.S. operations.

Q And it's been publicly reported that in that position, you have registered under the Foreign Agents Registration Act. Is that true?

A Again, I'm not sure how that is pertinent to the proceedings today.

Q Do you refute the public reporting?

A I am going to stand on my objection and not answer the question.

Q So you're not going to answer the question --

A That's correct.

Q -- even though you're required to answer questions from Congress?

A We're required to answer questions pertinent to the subject of the committee, and I'm not sure how my current employment today is relative to the activities of the disinformation board last year.

Q And are you aware that on the Center for Information Resilience website, it says that the Center receives funding from the U.K. Government, the U.S. State Department, USAID, and Australia's Department for Foreign Affairs? Do you refute that?

A I don't refute, but I also don't understand the pertinence to the inquiry.

Q Are you aware that that's listed on their website?

A Sure.

Q And I am going to enter the May 5, 2022 letter that the House Judiciary Committee GOP sent to you, and that'll be Exhibit Number 31. Take your time to review.

[Jankowicz Exhibit No. 31

Was marked for identification.]

BY [REDACTED]

Q Ms. Jankowicz, did you ever respond to this letter?

A We drafted responses, but it was up to the Department to send them, and that was not something that I was able to push forward.

Q Do you know if the Department sent those responses?

A I do not.

Q And you said last hour that there were some inaccuracies in the letter?

A Yes.

Q Okay. So we're going to go paragraph by paragraph here. So 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.

According to news reports, which you acknowledged on Twitter you will lead the board as its executive director, this board is un-American, undemocratic, and a dangerous escalation of the Biden administration's embrace of government-endorsed censorship. In addition, judging from your past statements, Americans cannot and should not trust you with your new-found authority to act as the Biden administration's arbiter of the truth.

What do you perceive as inaccurate?

A Well, I appreciate the opportunity to lay this out for you. So the board was not un-American, it was not anti-democratic, and it had nothing to do with censorship, as I have testified over and over and over again today. It was a coordination mechanism, within the Department of Homeland Security, to make sure that the Department was doing its work in a way that comported with American civil rights, civil liberties, and privacy.

I had no operational authority or ability to act as an all-purpose arbiter of truth,

and I would not have taken the job if that had been the case. In fact, I would've spoken out against it.

Q And on May 5, 2022, at that time frame we had the May 2, 2022, fact sheet. Is that correct?

A Yes.

Q And you were being told by DHS to be vague in congressional briefings at that time. Is that correct?

A Yes.

Q And you were being told that you couldn't come to the Hill to explain what the board was about. Is that correct?

A That's correct.

Q So the information that we were operating on was the fact sheet. Is that correct?

A The information that you were operating on is the fact sheet, and frankly, the fact sheet refutes a lot of the allegations that are in this letter.

Q And so, the next paragraph is, "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 would correct Ukrainian and Communist Party linked Chinese nationals or Russian disinformation.

"President Biden made these assertions despite an independent Senate investigation substantiating many of the allegations. 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."

Do you refute that the New York Times and Washington Post confirmed the

original reporting?

A I don't know the specific articles that are talking about this, but this is -- has nothing to do with me, so I'm not going to respond to that paragraph.

Q But you responded to tweets from Mr. -- I'm forgetting his name right now -- Mr. Posobiec that were in relation to your October 2020 tweets regarding Hunter Biden last hour. Is that correct?

A I didn't respond to his tweets specifically. I responded to the mischaracterization of my own words.

Q And so, in this paragraph it talks about how on October 22, 2020, the same day as the tweet that was introduced by my colleague last hour, you argued that the laptop story was a fairy tale about the laptop repair shop.

A That's a mischaracterization of my statements. And also, I'm not sure how my statements prior to my appointment as executive director of the board more than a year prior have anything to do with my conduct during the time when I was at the board. And I am searching for somewhere here your letter to us. Where is it? Not this one. Maybe it's this one? No, this is the subpoena.

There is a letter which you said that you would only be asking me about my statements as a government official, and I -- this was, again, more than a year prior to my joining the board, expressing my First Amendment rights, so not sure how it's pertinent.

Q But prior to being named executive director of the Disinformation Governance Board, you worked on disinformation, correct?

A Yeah, that's correct.

Q And so in 2020 you worked on disinformation. Is that correct?

A That is correct.

Q Okay. I'm going to enter as exhibit No. 32 your October 22, 2020, tweet.

A Exhibit?

Mr. Herman. Thirty-two.

[Jankowicz Exhibit No. 32

Was marked for identification.]

BY [REDACTED]

Q This is number 32. So the tweet states: Not to mention that the emails don't need to be altered to be part of an influence campaign. Voters deserve the context but a fairy tale -- fairy tale -- about a laptop repair shop.

[REDACTED] I think you misread that. Could you read that again? I think you misread it.

BY [REDACTED]

Q Yep. Not to mention that the emails don't need to be altered to be part of an influence campaign. Voters deserve that context, not a fairly (sic) tale about a laptop repair shop, correct? And you remember tweeting this?

A Yeah.

Q And then in the next paragraph of the May 5, 2022, letter, it states, "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. In fact, it was a Hillary Clinton's" -- "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.

"You later promoted an interview with Steele that you described as providing some great historical context about the evolution of disinfo. You also promoted other

theories, for instance, about disclosures made by then-director of national intelligence John Ratcliffe that turned out to be false."

Do you refute that on April 22, 2020, you tweeted about the Steele dossier?

A Once again, pertinence. We agreed ahead of time that we were not going to discuss my statements prior to joining the board.

██████████ We didn't have that agreement. I mean, we sent you a letter on Friday. I can read it.

Mr. Ivey. I think the line she's referencing is in the March 1 letter?

██████████ Yeah. But, I mean, we don't -- this committee's letter from Friday, April 7th, says the committee is in receipt of your letter dated March 24th, in which you raise several subjects that you and your client -- this is, of course, directed to your lawyer -- claim were not pertinent to the committee's stated purpose.

As a general practice, the committee does not pre-negotiate or disclose in advance its specific deposition questions. Moreover, the committee does not agree with your assertion that specific subjects addressed in your letter are not relevant to the inquiry.

And these -- I mean, this question flows from, you know, the letters we've written, so clearly, that's, you know -- we've telegraphed it. We have an interest in these things.

Mr. Ivey. Well, let me read this language from the March 1 letter in the second paragraph: The references in that letter to your previous statements pertained to your untested commitment to civil liberties as a governmental official -- which is in italics -- in your then-new role as executive director of the so-called Disinformation Governance Board, and concerns that the board would misuse its official authority to censor speech under the pretext of addressing disinformation. Contrary to your attorney's representation, the committee's interest in obtaining documents and testimony concerns

your actions as a government employee -- in italics -- as we articulated in our letter of February 16, 2023.

██████████ Right. But these -- you know, the information contained in the tweets and in our letter, I mean, forms the whole backdrop of this matter.

The Witness. And if I may, ██████████ the entire backdrop of this matter is based on lies, as I've testified over and over and over again. The board had nothing to do with arbitrating truth, and therefore, my expressions of my First Amendment rights as an American citizen have nothing to do with the board's activities.

██████████ Okay. I mean, we'll ask the questions. You can answer them or you cannot, and we'll go forward.

The Witness. Okay.

BY ██████████

Q On April 22, 2020, did you tweet about the Steele dossier?

A Not pertinent.

Q Did you, in your tweet, say that it began as a Republican opposition research project?

A Not pertinent to the Disinformation Governance Board.

██████████ So you're refusing to answer the question?

The Witness. The Disinformation Governance Board had no authority to arbitrate or censor American speech. Therefore, my political inclinations have very, very -- in fact, zero pertinence to this investigation.

██████████ Okay. But just for the record, you're not going to answer that question?

The Witness. I stand on my objection, yes.

██████████ So you're not going to answer the question?

The Witness. I am not going to answer questions that are not pertinent on the advice of my attorney.

██████████ Okay.

BY ██████████

Q And so the Steele dossier that has come to light was the product of Hillary Clinton's campaign and the Democratic National Committee. Do you believe that the Steele dossier was disinformation?

A To be clear and on the record, I never answered any -- I never said anything about the contents of the Steele dossier, and you can look back on that. I never said anything about the contents of the Steele dossier. And actually, Mr. Jordan was one of the first people to spread disinformation about my opinions about the Steele dossier.

Q Do you believe that the Carter Page FISA was disinformation?

A I have no comment about that. I don't even know what you're referring to.

Q What are your views on the Steele dossier?

A Pertinence. There's no reason for me to answer questions that have no purview related to the Disinformation Governance Board. As the Disinformation Governance Board, we wouldn't have touched the Steele dossier with a 100,000-foot pole, so don't understand why we should be talking about it today.

BY ██████████

Q Right. But we just asked you about it and then you said that we got it wrong, or Mr. Jordan got it wrong. So can you help us -- what -- like, what do you mean by that?

A I never commented on the Steele dossier publicly, and I'm not going to comment on it today.

Q Okay.

A My tweets have been mischaracterized in this -- in this letter. That's all I'm trying to set the record straight on. I don't -- I don't have any interest in commenting on the contents of the Steele dossier, alleged or not.

BY [REDACTED]

Q And so the April 22, 2020 tweet, we can go ahead and enter that into the record as exhibit No. 33.

[Jankowicz Exhibit No. 33

Was marked for identification.]

BY [REDACTED]

Q Have you had sufficient time to review?

A Uh-huh.

Q So in the last tweet in the thread there from you it says, and you're probably aware that it began as a Rus -- Republican, excuse me, opposition research project, too. The report covers explains that the inclusion of the Steele dossier didn't influence the conclusions of the ICA. Have a nice day.

A Uh-huh.

Q And in the letter, it says, on April 22, 2020, you provided the false narrative that the Steele dossier, quote, "began as a Republican opposition research project," quote. Is that accurate?

A I -- again, I've been advised to answer questions that are pertinent to the Disinformation Governance Board's activities, and I don't understand how this tweet from almost 2 years before my joining the board has any pertinence over the activities of the board.

Q And so, you were named to be the executive director of the Government Disinformation Board which was to set best practices and guardrails for the whole of DHS

to identify misinformation. And, you know, it -- would you concede that it could make people nervous that you are making these types of assertions on Twitter, and yet, you're supposed to lead this board that's supposed to set best practices and guardrails?

A This is one tweet, less than 240 characters, of bodies of -- my body of work, which includes two books, four congressional testimonies, some at the behest of your Republican colleagues in the Senate. I would suggest that you, if you want to look at my work and my commitment to civil liberties and disinformation, look at the rest of my work and not cherry-picked tweets that have been used to defame me, and frankly have led to significant threats to me and my family because they've been taken out of context and without nuance.

██████████ We can go off the record. Thank you.

[Recess.]

██████████ We can go back on the record. It's 3:09 p.m.

[Jankowicz Exhibit No. 34

Was marked for identification.]

BY ██████████

Q I'm going to introduce as exhibit 34, and I'm not going to ask any questions, but I'm just going to introduce an article from the New York Times. It's dated October 27, 2017, by Ken Vogel and Maggie Haberman, and the title of the article is, "Conservative Website First Funded Anti-Trump Research by Firm That Later Produced Dossier."

[Jankowicz Exhibit No. 35

Was marked for identification.]

BY ██████████

Q The next document I want to introduce, we'll introduce as exhibit 35. This

is a March 8th Politico article, March 8, 2023, Politico article entitled, "A Surreal Experience: Former Biden Disinfo Chief Details Harassment."

Are you familiar with this article?

A I am.

Q And did you participate in an interview for this article?

A I did.

Q Okay. So the article describes a situation in which you had to go to court to obtain a restraining order against an individual who had been stalking you for a year.

We talked about that earlier, right?

A Yes.

Q Okay. On page 3, the article says that when you were 18 months -- I'm sorry, when you were 8 months pregnant strangers online were calling -- calling her, meaning you, a Nazi, ugly, and said that you should die. Is that an accurate description of your experiences?

A That is the sanitized version, yes.

Q Okay. And you did -- you received a lot of death threats as part of --

A I would characterize them in the tens of thousands of death threats, yeah.

Q The article says that a reporter reached out to Mr. Jordan's office to ask about the, quote/unquote, blowback that you encountered and was told by an aide that you had agreed to serve as the board's public face and thus should be held accountable in public. Do you think you have anything to be held accountable for?

A I only took a job in my area of expertise, something, again, that both Republicans and Democrats in this Congress have benefited from over the past 6 years. And to say that anybody, Republican, Democrat, in between, martian, I don't care, should receive death threats, or it should be okay that people are receiving death threats

because they're in public is very concerning to me as an American, and it's concerning for me as someone who hopes that other people won't be dissuaded from going into public service because of what I've been through.

I think we could be losing a lot of, especially women, especially people of intersectional identities and minorities, because they know that it's much worse for us in public -- public service, and being a public figure, and the fact that we have Members of Congress and media who act like it's a game, and that there aren't real consequences to the words that they say is really -- it's disturbing for me as an American.

██████████ Thank you. We don't have any further questions. We can go off the record. Thank you.

[Whereupon, at 3:15 p.m., the deposition was adjourned.]

Certificate of Deponent

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date