



American
Sunlight
Project

The Information Laundering Cycle

How A Coordinated Effort
Weaponized the American Political
System In Favor of Disinformation

Executive Summary

This report details the coordinated effort to discredit independent, private-citizen researchers and counter-disinformation initiatives, attempts to falsely label them as government censors, and the negative impacts these efforts have had on American democracy over the last four years.

The first use of Congressional resources to investigate alleged bias by “Big Tech” against conservatives was carried out by Rep. Jim Jordan before the 2020 election. These claims were subsequently amplified by influential conservative media figures and organizations, gaining significant traction in far-right circles.

A critical component of this strategy involved the creation of a network of allied groups, including America First Legal (AFL) and the Conservative Partnership Institute (CPI), to provide legal and political support for these claims. In 2021, the claims shifted their focus from “Big Tech,” to independent, private-citizen academic researchers studying disinformation, alleging that these researchers were “censoring” unfavorable, conservative viewpoints. These organizations, often backed by undisclosed donors with ties to the January 6th insurrection, have been instrumental in shaping public opinion and influencing congressional and legal action against said researchers.

The effort of these bad actors gained further momentum following the 2022 midterm elections when Republicans regained control of the House of Representatives. This political shift allowed fringe conspiracy theories around “censorship” to be elevated to the national stage. The formation of the House Weaponization Subcommittee, chaired by Rep. Jordan, provided a platform for these claims to be further disseminated.

Simultaneously, the release of the “Twitter Files” offered a seemingly credible veneer to these allegations. Despite countless inconsistencies and factual errors, the Twitter Files were extensively covered by right-wing media, generating substantial revenue for their authors and further solidifying the narrative of supposed censorship being carried out by independent, private-citizen researchers.

The combined efforts of conservative media, allied organizations, and congressional investigations have created a hostile environment for disinformation researchers. These individuals have been subjected to public harassment, legal threats, and congressional subpoenas. This coordinated attack has undermined public trust in credible information sources and hindered efforts to combat the spread of disinformation.

This report demonstrates a clear and concerted pattern of action to discredit counter-disinformation research. By falsely accusing independent, private-citizen researchers of censorship, these groups have successfully eroded public confidence in essential fact-checking and critical thinking processes. These efforts pose a significant threat to democratic institutions, public discourse, and the fast-approaching 2024 election.

Key Points

- **October 2020: Jim Jordan Releases A Staff Report Alleging Censorship By Big Tech Companies.** In the months leading up to the November 2020 election, then-ranking member of the House Judiciary Committee Jim Jordan released a staff report alleging that big tech companies were censoring conservative speech. Jordan's report would set the foundation of a future flood of narratives that would begin chipping away at counter-disinformation research and advocacy.
- **2021-2022: Conservative Organizations Begin To Mobilize And Fundraise Millions Of Dollars From Undisclosed Donors With Deep Ties To The January 6th Insurrection.** Close allies of the former Trump administration began organizing groups like America First Legal (AFL) to legally discredit disinformation researchers and their work, and were backed by donors with ties to the "Big Lie."
- **August 2022: Unsubstantiated Allegations Of Censorship Begin To Be Perpetuated By Conservative Actors Including Tucker Carlson and Mike Benz.** Mainstream conservative celebrities continued to proliferate allegations of government censorship while former Trump State Department official Mike Benz went on to start the Foundation for Freedom Online (FFO), a blog he would use to report his alleged findings supporting the theory of mass government censorship.
- **2022-2023: As Republicans Win The House, AFL and the House Judiciary Committee Begin Working In Lockstep, Publishing Accusations Against Researchers, Aided By The Twitter Files.** Following Republicans regaining control of the House of Representatives after the 2022 midterm election, fringe conspiracy theories about censorship were elevated to the national stage. Independent bloggers Matt Taibbi and Michael Shellenberger would collaborate with X/Twitter to publish the Twitter Files, which despite their inconsistent credibility and myriad factual errors, would be covered in right-wing media for months, generating estimated hundreds of thousands of dollars in revenue for their authors. Ultimately, this coordinated effort would lead to a pressure campaign on disinformation research at academic and policy institutions across the country.
- **July 2024: Judiciary Committee Revives Claims of Censorship Against Conservatives on X/Twitter, Attacks The Global Alliance For Responsible Media.** On July 10, 2024, the House Judiciary Committee Majority, led by Chairman Jordan, published another staff report, this time taking aim at the Global Alliance for Responsible Media (GARM). Three weeks later, X/Twitter sued GARM alleging the Alliance violated antitrust laws and censored conservative viewpoints. Forty-eight hours after X/Twitter's lawsuit was filed, GARM announced it would shut down.

Abbreviations

AFL	America First Legal
CDC	Centers for Disease Control
CIS	Center for Internet Security
CISA	Cybersecurity and Infrastructure Security Agency
CPI	Conservative Partnership Institute
DFRLab	Digital Forensic Research Lab
DHS	Department of Homeland Security
EI-ISAC	Elections Infrastructure Information Sharing & Analysis Center
EIP	Election Integrity Partnership
FFO	Foundation for Freedom Online
FTC	Federal Trade Commission
GEC	Global Engagement Center
GMFUS	German Marshall Fund of the United States
ILC	Information Laundering Cycle
SIO	Stanford Internet Observatory
UW	University of Washington
VP	Virality Project

Setting the Stage

[Prior To The 2020 Election, Ranking Member Jordan Releases A Staff Report Alleging Censorship By Big Tech Companies](#)

In the months leading up to the 2020 election, House Judiciary Committee then-ranking-member Jim Jordan and minority staff sent letters to social media CEOs, particularly Jack Dorsey of X/Twitter, lambasting alleged bias against conservative viewpoints in platforms' content moderation processes.¹ The committee's minority staff organized multiple hearings^{2,3} and ultimately released a Staff Report in October 2020, in what appeared to be the first use of Congressional resources to publicly investigate this allegation.⁴ This would lay the groundwork for a years-long, coordinated effort by extreme actors to dismantle any and all cross-sector efforts to limit the effects of disinformation online, and to silence independent, private-citizen researchers' First-Amendment-protected right to alert social media platforms and the government to dangerous material which violates their terms of service.

In the immediate aftermath of the 2020 election, conservative media – in particular Fox News – ramped up claims around censorship relating to platforms' removal of false content relating to the election, COVID-19, and misgivings about Hunter Biden, in close coordination with Jordan and other allied elected officials.⁵ Fox would go on to spread the allegations made in the Judiciary Committee's Minority Staff Reports throughout the Biden administration and develop allies that would support their goal: to “flood the zone” and make the digital ecosystem friendlier to disinformation in the run up to the 2024 election.

[2021-2022 : Conservative Organizations Begin To Mobilize And Fundraise Millions Of Dollars From Undisclosed Donors With Deep Ties To The January 6th Insurrection](#)

One such Fox ally was former Trump Senior Advisor Stephen Miller, who founded America First Legal (AFL).⁶ An unflinchingly partisan organization, the home page of AFL's website claims its mission is to “[fight] back against lawless executive actions and the Radical Left,”⁷ which it accomplishes through litigation. AFL has, to date, engaged in dozens of efforts to silence disinformation research through frivolous lawsuits and collaboration with Jordan and the House Judiciary Committee's harassment of researchers. In a digital age where social media is more prevalent than ever and social media platforms have more power than ever, AFL's efforts to politicize legitimate efforts to

¹ House Judiciary Committee Minority Staff Letter to Jack Dorsey, July 8, 2020.

https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/legacy_files/wp-content/uploads/2020/07/X/Twitter.pdf

² Chris Mills Rodrigo, “Jordan confronts tech CEOs over claims of anti-conservative bias.” *The Hill*, July 29, 2020.

<https://thehill.com/homenews/house/509619-jordan-confronts-tech-ceos-with-claims-of-anti-conservative-bias/>

³ House Judiciary Committee Minority Staff, “Online Platforms and Market Power, Part 6: Examining the Dominance of Amazon, Facebook, Google and Apple.” July 27, 2020.

<https://context-cdn.washingtonpost.com/notes/prod/default/documents/f54d0051-3f66-4ac8-91c3-efe72599b64b/note/1c6626db-4b8f-4e0c-a888-93f34cdf5280>

⁴ House Judiciary Committee Minority Staff, “Reining in Big Tech's Censorship of Conservatives.” October 6, 2020.

<https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/2020-10/2020-10-06-Reining-in-Big-Techs-Censorship-of-Conservatives.pdf>

⁵ Angelica Stabile, “Ted Cruz: Facebook, X/Twitter, Google Collectively Pose the Single Greatest Threat to Free Speech in America.” *Fox News*, November 7, 2020.

<https://www.foxbusiness.com/technology/ted-cruz-facebook-X/Twitter-google-collectively-pose-single-greatest-threat-to-free-speech-in-america>

⁶ Robert Draper, “America First Legal, a Trump-Aligned Group, Is Spoiling for a Fight.” *The New York Times*, March 21, 2024.

<https://www.nytimes.com/2024/03/21/us/politics/stephen-miller-america-first-legal.html>

⁷ America First Legal, Home Page. <https://web.archive.org/web/20230401010535/http://aflegal.org/>

combat disinformation – by social media platforms and independent private-citizen researchers – have significantly damaged the information environment. To fully realize these efforts and their impacts, we explore the founding and operations of AFL.

The Conservative Partnership Institute (CPI) – led in part by former Trump Chief of Staff Mark Meadows – greatly aided Miller’s effort to get AFL off the ground.⁸ On April 9-11, 2021, CPI held an “America First” Summit in Palm Beach, Florida, which Donald Trump, Stephen Miller, Mark Meadows, Cleta Mitchell and major donors attended.^{9,10,11} One day beforehand, on April 8, 2021, CPI senior staff organized a fundraiser for conservative causes headlined by Trump. CPI would go on to directly fund AFL’s efforts, donating over a million dollars to its cause.^{12,13} Further supporting AFL as it launched was an anonymous \$5 million donation from the Fidelity Investments Charitable Gift Fund (FICGF).¹⁴ This fund operates, in essence, as a mask for donors of all political stripes, though this anonymous contribution to AFL was the largest in AFL’s first year of operation. The FICGF has provided anonymous contributions to nonprofit organizations across the political spectrum, all anonymized, though this contribution to AFL was also one of the fund’s largest contributions overall in 2021.

Form 990, Schedule I, Part II, Grants and Other Assistance to Domestic Organizations and Domestic Governments.							
(a) Name and address of organization or government	(b) EIN	(c) IRC section if applicable	(d) Amount of cash grant	(e) Amount of non-cash assistance	(f) Method of valuation (book, FMV, appraisal, other)	(g) Description of non-cash assistance	(h) Purpose of grant or assistance
AMERICA FIRST LEGAL FOUNDATION 611 PENNSYLVANIA AVE SE 231 WASHINGTON, DC 20003	86-2190372	501 (C)(3)	5,038,350		N/A	N/A	For grant recipient's exempt purposes

A selection of Fidelity Investments Charitable Gift Fund's 990 form showing the \$5 million dollar donation to America First Legal

Two key players who run CPI – Ed Corrigan, CEO, and Wesley Denton, COO – are on the board of the America First Legal Foundation, the branch of AFL which brings in donations from outside groups. Corrigan and Denton each maintain deep ties to Trump, and have been under scrutiny for potentially self-dealing funds from CPI.¹⁵ Corrigan also maintains deep ties to the Heritage Foundation, having served as a former Vice President of Policy Promotion. Also on the AFL board is Russ Vought (Treasurer), the Trump Administration’s former director at the Office for Management and Budget and a lead architect of Project 2025, the Heritage Foundation’s authoritarian, Christian Nationalist vision for a second Trump presidency.^{16,17} Project 2025 is a 900-page manifesto of conservative policy

⁸ Alayna Treene, “Scoop: Mark Meadows’ New Gig,” *Axios*, January 27, 2021. <https://www.axios.com/2021/01/27/mark-meadows-conservative-group-job>

⁹ Cleta Mitchell played a central role in the effort to halt the certification of the 2020 election in Georgia, having been on the phone with President Trump as he called the Georgia Secretary of State, imploring the Secretary to “find” 11,780 votes. Mitchell was recommended for indictment by a Georgia grand jury on several counts, “for soliciting election fraud, witness interference, making false statements, and a host of other offenses.” Andrew Donohue, “Trump Lawyer Cleta Mitchell Escaped Georgia Indictment – And Still Leads Election Denial Movement,” *The Intercept*, September 13, 2023. <https://theintercept.com/2023/09/13/trump-indictment-cleta-mitchell-election/>

¹⁰ Alex Isenstadt, “Trumpworld’s next target: Building a dark-money machine,” *Politico*, March 21, 2024. <https://www.politico.com/news/2021/03/24/gop-building-dark-money-machine-477756>

¹¹ Jane Myer, “The Big Money Behind the Big Lie,” *The New Yorker*, August 2, 2021.

<https://www.newyorker.com/magazine/2021/08/09/the-big-money-behind-the-big-lie>

¹² Josh Dawsey, “Trump helped the GOP raise \$2 billion. Now former aides and allies are jockeying to tap into his fundraising power..” *The Washington Post*, March 27, 2021. https://www.washingtonpost.com/politics/trump-gop-money/2021/03/27/fa413606-82a4-11eb-bb5a-ad9a91faa4ef_story.html

¹³ Conservative Partnership Institute, IRS 990 Form. https://www.documentcloud.org/documents/23693619-conservative-partnership-institute_990_2021

¹⁴ Fidelity Investments Charitable Gift Fund, IRS 990 Form. https://apps.irs.gov/pub/epostcard/cor/110303001_202206_990_2023060921417445.pdf

¹⁵ David Farenthold, “Pro-Trump Nonprofit Paid Millions to Companies Tied to Its Own Leaders,” *The New York Times*, May 6, 2024.

<https://www.nytimes.com/2024/05/06/us/politics/trump-conservative-partnership-institute-funds.html>

¹⁶ America First Legal Foundation, IRS 990 Form. <https://www.documentcloud.org/documents/24179991-america-first-legal-foundation-2022-990>

¹⁷ Alexander Ward & Heidi Przybyla, “Trump allies prepare to infuse ‘Christian nationalism’ in second administration,” *Politico*, February 20, 2024. <https://www.politico.com/news/2024/02/20/donald-trump-allies-christian-nationalism-00142086>

proposals put forth by dozens of organizations, including AFL, CPI, Turning Point USA (TPUSA), Project Veritas, Vought's Center for Renewing America, among others, which seek to reshape the federal government if President Trump is re-elected. A key piece of the Project 2025 platform would involve cutting funding for, or eliminating, agencies such as CISA, which play an important role in countering foreign cyber and information-based threats – including Russian disinformation campaigns.¹⁸

In 2022, AFL received its largest donation from the Bradley Impact Fund, a group with direct ties to the “Big Lie,” for over \$27 million, more than 61% of its total budget.¹⁹ Bradley Impact Fund's gifts have included millions to other hyper-partisan organizations including TPUSA and Project Veritas – each of which also share staff and political connections with AFL.²⁰

Form 990	Return of Organization Exempt From Income Tax		OMB NO. 1545-0047
Department of the Treasury Internal Revenue Service	Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations) ▶ Do not enter social security numbers on this form as it may be made public. ▶ Go to www.irs.gov/Form990 for instructions and the latest information.		2022 Open to Public Inspection
A For the 2022 calendar year, or tax year beginning 01-01-2022, and ending 12-31-2022			
B Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Final return/terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	C Name of organization BRADLEY IMPACT FUND INC Doing business as Number and street (or P.O. box if mail is not delivered to street address) Room/suite 1400 N WATER STREET 300 City or town, state or province, country, and ZIP or foreign postal code MILWAUKEE, WI 53202		D Employer identification number 45-4678325 E Telephone number (414) 291-2500 G Gross receipts \$ 181,009,905
F Name and address of principal officer: GABRIEL CONGER 1400 N WATER STREET 300 MILWAUKEE, WI 53202		H(a) Is this a group return for subordinates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No H(b) Are all subordinates included? <input type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach a list. See instructions. H(c) Group exemption number ▶	
I Tax-exempt status: <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c) () ◀ (Insert no.) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527		J Website: ▶ WWW.BRADLEYIMPACTFUND.ORG	
K Form of organization: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ▶		L Year of formation: 2012 M State of legal domicile: WI	
(7) ALZHEIMER'S ASSOCIATION 620 S 76TH ST SUITE 160 MILWAUKEE, WI 53214	13-3039601	501(C)(3)	20,500
(8) AMERICA FIRST LEGAL FOUNDATION 300 INDEPENDENCE AVE SE WASHINGTON, DC 20003	86-2190372	501(C)(3)	27,141,275

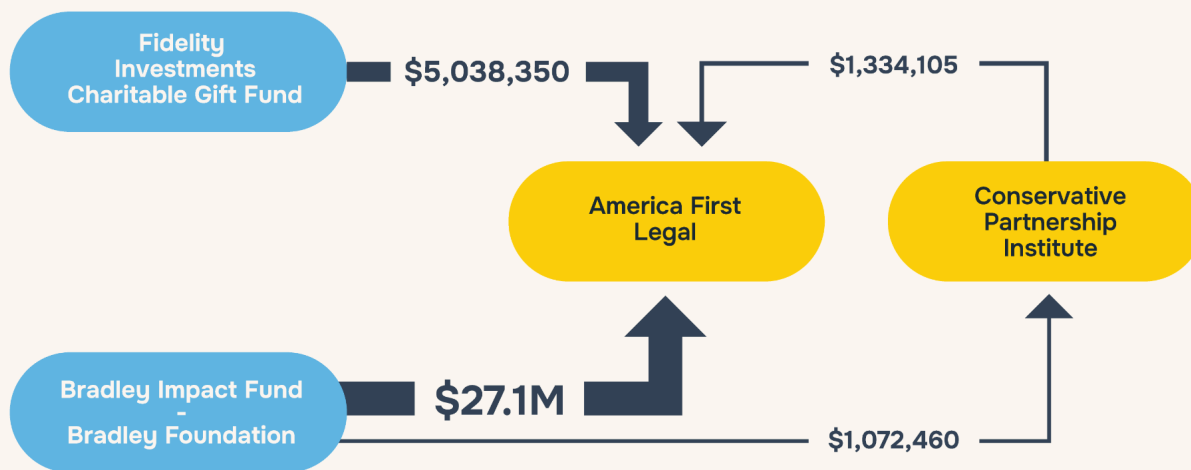
A selection of Bradley Impact Fund's [990 form](#) showing the \$27 million dollar donation to America First Legal

¹⁸ Project 2025, pg. 155. https://web.archive.org/web/20240810012714/https://static.project2025.org/2025_MandateForLeadership_CHAPTER-05.pdf

¹⁹ Bradley Foundation, “Our People.” <https://web.archive.org/web/20240729195416/https://www.bradleyfdn.org/people>

²⁰ Isabela Dias, “How a Few Secret Donors Are Fueling the New Right-Wing Infrastructure.” *Mother Jones*, April 30, 2024.

<https://www.motherjones.com/politics/2024/04/bradly-impact-fund-michael-flynn-stephen-miller-culture-war-project-veritas-american-first-legal-cpi/>



A map of the financial relationship between America First Legal, the Conservative Partnership Institute, the Fidelity Investments Charitable Gift Fund, and the Bradley Impact Fund

AFL has been functionally bankrolled by organizations who were not only supportive of claims that the 2020 election was “stolen” from President Trump by President Biden, but were actively trying to make it a reality. For example, in 2022, the organization gave tens of thousands of dollars in grants to organizations like the Rule of Law Defense Fund, an organization that urged “patriots” to support President Trump at the January 6th rally-turned-insurrection and held a “war games” meeting in the weeks leading up to the 2020 election.²¹

After its launch in early 2022, AFL began its line of litigation with a series of FOIA requests relating to the State Department’s Global Engagement Center (GEC) and the Cybersecurity and Infrastructure Security Agency (CISA). These requests marked a noticeable uptick in conservative claims about censorship. AFL’s FOIA requests alleged these government agencies improperly partnered with social media platforms and asked for content around Hunter Biden’s laptop to be removed.²² In its FOIA request to CISA, AFL writes²³:

On March 17, 2022, the New York Times revealed that “[Hunter] Biden’s laptop was indeed authentic, more than a year after ... much of the media dismissed the New York Post’s reporting as Russian disinformation.” When the story was first accused of being disinformation, X/Twitter suspended the New York Post’s account for seven days, and Facebook “reduc[ed]” the story’s distribution on its platform while waiting for third-party fact checkers to verify it.” This was just one of many instances where social media companies censored politically controversial information under the pretext of combatting MDM even when the information later became verified.

Then, as now, AFL offered no evidence to support its claim that any federal agency coerced, pressured, or mandated that social media platforms remove any such laptop-related content. As this report will cover in depth,

²¹ John Hanna, “GOP group held ‘war games’ for state AGs before Trump loss.” *Associated Press*, September 10, 2021.

<https://apnews.com/article/donald-trump-health-elections-business-coronavirus-pandemic-a0d3b0962d6742f8bc1c7b3ddf472fa3>

²² America First Legal, “AFL Targets Another Biden Administration Effort to Collaborate With Establishment Media and Social Media Companies.” April 7, 2021.

<https://web.archive.org/web/20240308195313/https://aflegal.org/aflegal-targets-another-biden-administration-effort-to-collaborate-with-mainstream-media-and-social-media-companies/>

²³ America First Legal, FOIA Request to CISA, April 4, 2022.

https://aflegal.org/wp-content/uploads/2022/04/04042022_DHS-CISA_MDM-Disinformation-FOIA.pdf

social media platforms have their own, robust content moderation policies in regards to false and misleading content; as private companies, they implement these policies as they see fit.

April/May 2022: The DHS Disinformation Governance Board is Targeted

On April 27, 2022, the Department of Homeland Security announced a newly-formed group that would focus on policy coordination for its counter-disinformation efforts: the Disinformation Governance Board. The Disinformation Governance Board was a small, intra-agency group with no operational authority, intended to make best-practices recommendations to existing DHS counter-disinformation work. Despite this, individuals, Members of Congress, and primarily right-wing media began relentlessly manufacturing and amplifying baseless conspiracy theories about the Board and Nina Jankowicz, a disinformation researcher who was appointed to head the Board as its executive director. (Jankowicz is ASP's co-founder and CEO.) They claimed that the Board would be a "Ministry of Truth" and would police and censor Americans' speech; the Board had neither the authority nor intention to do so.

The name "Disinformation Governance Board" was poorly-positioned for public consumption. It referred to the intra-DHS "governance" of counter-disinformation efforts; the Board had nothing to do with "governing disinformation" more broadly, such as by suppressing, labeling, or publicly identifying purported incorrect speech, as conspiracy theories suggested. Compounding the problem, DHS' communication efforts to contextualize the board did not tamp down the non-stop drum beat of its opponents' narrative.^{24,25}

The Board was paused on May 18. Jankowicz resigned, chiefly due to the failure of the government to defend Jankowicz against mounting harassment and death threats.²⁶ DHS's Homeland Security Advisory Council formally evaluated the Board as unnecessary on July 18 and terminated it on August 24.^{27,28}

The Board's founding documents and charter were eventually made public as part of whistleblower documents released by Senators Josh Hawley and Chuck Grassley on June 7.²⁹ These documents, predating the launch of the Board, firmly lay out the minimal scope of the board and explicitly describe how it was not empowered to do anything resembling censorship, suppression, labeling, or policing of speech. The once-speculative conspiracy theories about the board as a "Ministry of Truth" became disproven conspiracy theories upon the release of these documents.

The Board's disbanding represented the first victory for those attempting to equate counter-disinformation research and work with "censorship," and provided fuel for their continued activities. Indeed, Jankowicz was targeted by Chairman Jim Jordan's Subcommittee on the Weaponization of the Federal Government soon after the

²⁴ Eugene Daniels, Rachel Bade & Ryan Lizza, "POLITICO Playbook: Fauci pulls out of WHCD. Is Biden next?." *Politico*, April 27, 2022. <https://www.politico.com/newsletters/playbook/2022/04/27/fauci-pulls-out-of-whcd-is-biden-next-00028131>

²⁵ Department of Homeland Security Press Fact Sheet, "Fact Sheet: DHS Internal Working Group Protects Free Speech and Other Fundamental Rights When Addressing Disinformation That Threatens the Security of the United States." May 2, 2022. <https://www.dhs.gov/news/2022/05/02/fact-sheet-dhs-internal-working-group-protects-free-speech-other-fundamental-rights>

²⁶ Taylor Lorenz, "How the Biden administration let right-wing attacks derail its disinformation efforts." *The Washington Post*, May 18, 2022. <https://www.washingtonpost.com/technology/2022/05/18/disinformation-board-dhs-nina-jankowicz/>

²⁷ Department of Homeland Security, Homeland Security Advisory Council, "Final Interim Recommendation." July 18, 2022. https://www.dhs.gov/sites/default/files/2022-07/22_0718_ope_final-interim-recommendation-disinformation-best-practices-safeguards-subcommittee_0.pdf

²⁸ Department of Homeland Security Press Release, "Following HSAC Recommendation, DHS terminates Disinformation Governance Board." August 24, 2022. <https://www.dhs.gov/news/2022/08/24/following-hsac-recommendation-dhs-terminates-disinformation-governance-board>

²⁹ Senators Chuck Grassley & Josh Hawley, Whistleblower Documents. June 7, 2024. https://web.archive.org/web/20240716114954/https://www.grassley.senate.gov/imo/media/doc/grassley_hawley_to_deptofhomelandsecuritydisinformationgovernanceboard.pdf

GOP won control of the House in the 2022 midterm elections, and was the first disinformation researcher to be subpoenaed by the Subcommittee when it began its activities. The transcript of her deposition is now public.³⁰

May 2022: Unsubstantiated Allegations Of Censorship Begin To Be Perpetuated By Rogue Conservative Actors Including Tucker Carlson and Mike Benz

As the Disinformation Government Board was created and then stood down, AFL, CPI, and other conservative actors, including Tucker Carlson and the Heritage Foundation began regularly pushing claims that government-sanctioned censorship against conservatives was being carried out by social media platforms at the behest of the federal government.^{31,32}

Yet, another voice and emerging nonprofit also rose to prominence: Mike Benz, a short-lived former Trump Administration State Department official and an ally of Stephen Miller.³³ Benz founded the Foundation for Freedom Online (FFO) in May 2022. FFO appears to run like a shell of a nonprofit organization, fueled by a blog operated by Benz and curated writers.³⁴ Information about its financials is extremely sparse, and it has reported zero income or expenditures since its inception (see the screenshot below of FFO's IRS 990 form).³⁵ Moreover, this is not the first blog Benz has operated; until 2018, he appears to have promoted white nationalist content with an alt-right pseudonym.³⁶

Benz, via the FFO blog, first published detailed, yet citationless, accusations against prominent disinformation researchers in August 2022 – a marked jump in the MAGA ecosystem's framing.³⁷ Rather than the usual maligning of government agencies and "Big Tech" platforms, for the first time, independent, private-citizen researchers and nongovernmental organizations were in the crosshairs. Benz made specific mention of disinformation researchers, used their likenesses, and inflammatory language about them, seeking to shift the narrative from one about relatively nameless, faceless government agencies and social media platforms, to one about individual boogymen out to get Americans. Benz's narrative shift worked.

The premise of these allegations was chilling; Benz, Miller, and their affiliates asserted that the efforts of independent, private-citizen researchers and nongovernmental organizations to identify, track, and sometimes flag to social media platforms' trust and safety teams false, inflammatory, and dangerous content about threats to the 2020 election (e.g., false claims about the operation of ballot drop boxes, mail-in ballots, etc. which could reasonably mislead voters) constituted ideological censorship. Moreover, Benz ironically claims that the incredibly narrow scope under which such researchers operated, identifying and reporting only a few hundred tweets – of the hundreds of millions posted during the 2020 election cycle – which they believed posed a physical danger to

³⁰ Deposition Transcript of Nina Jankowicz, House Judiciary Committee, <https://www.americansunlight.org/nj-statement-house-judiciary-deposition-transcript-text>

³¹ Fox News, "Tucker: Censorship now defines America's public conversation." April 4, 2022.

<https://www.foxnews.com/transcript/tucker-censorship-now-defines-americas-public-conversation>

³² Heritage Foundation, "Heritage Foundation Announces It Will Join Free Speech Alliance." March 22, 2022.

<https://web.archive.org/web/20240416035706/https://www.heritage.org/press/heritage-foundation-announces-it-will-join-free-speech-alliance>

³³ Corbin Bathold, "Influencers, Bullshitters, and How We Lost a Shared Reality." *The Bulwark*, June 7, 2024.

<https://www.thebulwark.com/p/influencers-bullshitters-losing-shared-reality>

³⁴ Foundation for Freedom Online, "Reports." <https://web.archive.org/web/20240803215719/https://foundationforfreedomonline.com/category/reports/>

³⁵ ProPublica, "Foundation for Freedom Online." <https://projects.propublica.org/nonprofits/organizations/812402816>

³⁶ Brandy Zadrozny, "Michael Benz, a conservative crusader against online censorship, appears to have a secret history as an alt-right persona." *NBC News*, October 6, 2023. <https://www.nbcnews.com/tech/internet/michael-benz-rising-voice-conservative-criticism-online-censorship-rcna119213>

³⁷ Mike Benz, "Department Of Homeland Censorship": How DHS Seized Power Over Online Speech." *Foundation for Freedom Online*, August 27, 2022. <https://web.archive.org/web/20240227005242/https://foundationforfreedomonline.com/department-of-homeland-censorship-how-dhs-seized-power-over-online-speech/>

election integrity, was a smoking gun. Using scaremongering phrases like “social media censorship teams” and “targeted citizens,” Benz concocted a fictitious and worrying narrative.

Benz went on to argue that simply because these researchers either reported legitimately dangerous content to the Department of Homeland Security (DHS) that the federal government was therefore silencing speech. All of the researchers Benz covered would be subject to harassment because, in some cases, they were funded with federal grants, or in others, because these researchers worked for public universities. Yet most importantly, none of them ever censored any speech.

Operating and Administrative Expenses	13	Compensation of officers, directors, trustees, etc.	0	0		0
	14	Other employee salaries and wages				
	15	Pension plans, employee benefits				
	16a	Legal fees (attach schedule)				
	b	Accounting fees (attach schedule)				
	c	Other professional fees (attach schedule)				
	17	Interest				
	18	Taxes (attach schedule) (see instructions) . . .				
	19	Depreciation (attach schedule) and depletion . . .				
	20	Occupancy				
	21	Travel, conferences, and meetings				
	22	Printing and publications				
	23	Other expenses (attach schedule)				
	24	Total operating and administrative expenses. Add lines 13 through 23	0	0		0
	25	Contributions, gifts, grants paid	0			0
	26	Total expenses and disbursements. Add lines 24 and 25	0	0		0
	27	Subtract line 26 from line 12:				
	a	Excess of revenue over expenses and disbursements	0			
	b	Net investment income (if negative, enter -0-)		0		
	c	Adjusted net income (if negative, enter -0-)				

For Paperwork Reduction Act Notice, see instructions. Cat. No. 11289X Form **990-PF** (2022)

A selection of the Foundation for Freedom Online’s [990 form](#) showing zero expenses or income

Benz would drill further on his claim that the federal government engaged in ‘outsourced censorship’ via its participation in several public-private partnerships which conducted information threat monitoring in relation to COVID-19 and the 2020 election. Three particular partnerships drew Benz’s ire: the aforementioned EIP, the Virality Project (VP), and Elections Infrastructure Information Sharing & Analysis Center (EI-ISAC). At times these projects cooperated with federal agencies to identify online content which posed a clear and present danger to individuals and elections. However, the reality of the situation is that social media companies have their own trust and safety teams that determine whether posts violate their terms of use and risk removal, no matter who submits a report of dangerous content, be it the government, researchers, or ordinary users.

For further background, the three aforementioned disinformation research projects are defined below:

- **Election Integrity Partnership³⁸**: A non-partisan coalition founded 100 days before the 2020 election, to “empower the research community, election officials, government agencies, civil society organizations, social media platforms, and others to defend our elections against those who seek to undermine them by exploiting weaknesses in the online information environment.” Its members included the Stanford Internet Observatory (SIO), the University of Washington (UW), Graphika, and the Atlantic Council Digital Forensic Research Lab (DFRLab).
- **Virality Project³⁹**: A research collaboration between the SIO, UW, Graphika, the Atlantic Council DFRLab, National Conference on Citizenship, and New York University. The VP sought to document the “who, what, and how” of the COVID-19 vaccine hesitancy movement and study “social media platforms’ published policies to understand how (if at all) platforms might limit or action the spread of misleading vaccine-related content.” It did this through the weekly publication of briefings, to both public and trust and safety audiences, about key COVID-19- related narratives observed in the information environment. It provided federal and local health agencies and social media platforms with insights into the content and reach of false narratives around COVID-19.
- **Elections Infrastructure Information Sharing & Analysis Center⁴⁰**: The EI-ISAC, run by the Center for Internet Security (CIS) and funded, in part, by DHS grants, specifically monitors threats to election security. It works with “election officials and security and technology personnel to provide the highest standards of election security” and ensures that information and cyber-based threats to elections – such as accounts impersonating elected officials, misleading voters about ID requirements, or other materially false and dangerous content – are identified and stopped.

³⁸ Election Integrity Partnership, <https://web.archive.org/web/20240601165258/https://www.eipartnership.net/>

³⁹ The Virality Project, <https://web.archive.org/web/20240614213913/https://www.viralityproject.org/>

⁴⁰ Elections Infrastructure Information Sharing & Analysis Center, <https://web.archive.org/web/20240613010642/https://www.cisecurity.org/ei-isac>

May 2022: Missouri And Louisiana AG's File A Lawsuit Against The Biden Administration With Help From America First Legal

In May 2022 a lawsuit was filed by the Attorneys General of Missouri and Louisiana, along with a select group of individual plaintiffs, against the Biden Administration relating to trusted flagging coordinated by CISA and DHS in the context of COVID-19, election integrity, misgivings about Hunter Biden, and other agency communications with social media platforms.⁴¹ AFL would go on to file a brief on behalf of Jim Jordan and 44 other members of Congress in support of the suit.⁴² In a news feature shared on the House Judiciary Committee website, AFL pointed to their FOIA investigations as evidence of the government's alleged censorship effort, and vice versa, with AFL's website featuring repeated mentions of the House Judiciary Committee's work.⁴³ Recent reporting on AFL further corroborates that Miller's organization is coordinating to do the work of Jim Jordan's committee; these actions further cement the relationship.⁴⁴ According to the New York Times, "Lawyers involved in the case have claimed that the subcommittee leaked selective parts of interviews conducted behind closed doors to America First Legal for use in its private lawsuits." Such allegations are of grave concern, and if true, demonstrate **actual** weaponization of the federal government for spreading fictitious narratives about censorship.⁴⁵

Going even further than prior conspiracies, the Attorneys General, other plaintiffs, and AFL perpetuated the claim that the Biden Administration coerced and pressured platforms to remove politically disagreeable content. As before, though, government flags to platforms consisted of "for your awareness" emails about content which might violate the platforms' own policies. Legal filings by the Missouri Attorney General relied on selective reading of evidence, presented out of context, to paint a distorted picture of communications between government and platforms.⁴⁶ In oral arguments before the Supreme Court, the solicitor for Louisiana could not point to a single instance of government correspondence leading to a platform decision to remove content from their service.

Right-wing organizations and media outlets including the Heritage Foundation and the New York Post created the illusion of collusion between the federal government, independent researchers, and social media companies.^{47,48} Rep. Jim Jordan would go on to call both Attorneys General to testify in front of the House Weaponization committee on Missouri v. Biden and prevent them from being questioned by other members of the committee.^{49,50} D. John Sauer, former Special Assistant Attorney General of Louisiana, also provided testimony; Sauer later

⁴¹ Missouri v. Biden (3:22-cv-01213), <https://www.courtlistener.com/docket/63290154/missouri-v-biden/>

⁴² House Judiciary Committee Press Release, February 9, 2024

<https://web.archive.org/web/20240314160124/https://judiciary.house.gov/media/press-releases/judiciary-republicans-lead-amicus-brief-murthy-v-missouri-lawsuit>

⁴³ House Judiciary Committee News Feature, August 8, 2023

<https://web.archive.org/web/20240720142047/https://judiciary.house.gov/media/in-the-news/weaponization-subcommittee-backs-state-lawsuit-biden-big-tech-censorship-case-un>

⁴⁴ Robert Draper, "America First Legal, a Trump-Aligned Group, Is Spoiling for a Fight." *The New York Times*, March 21, 2024.

<https://www.nytimes.com/2024/03/21/us/politics/stephen-miller-america-first-legal.html>

⁴⁵ Jim Rutenberg & Steven Lee Myers, "How Trump's Allies Are Winning the War Over Disinformation." *The New York Times*, March 17, 2024.

<https://www.nytimes.com/2024/03/17/us/politics/trump-disinformation-2024-social-media.html>

⁴⁶ Dean Jackson, "First Amendment Defenders and the Supreme Court Should Reject the Jawboning Bogeyman." *Tech Policy Press*, February 22, 2024.

<https://techpolicy.press/first-amendment-defenders-and-the-supreme-court-should-reject-the-jawboning-bogeyman/>

⁴⁷ Jake Denton, "Biden Administration Outsourcing Online Censorship of Conservatives." *Heritage Foundation*, October 14, 2022.

<https://web.archive.org/web/20240501080106/https://www.heritage.org/technology/commentary/biden-administration-outsourcing-online-censorship-conservatives>

⁴⁸ Miranda Devine, "Lawsuit reveals vast censorship scheme by Big Tech and the federal government." *The New York Post*, October 23, 2022.

<https://nypost.com/2022/10/23/lawsuit-reveals-vast-censorship-scheme-by-big-tech-and-the-federal-government/>

⁴⁹ House Judiciary Subcommittee on the Weaponization of the Federal Government Hearing, March 30, 2023.

<https://web.archive.org/web/20240731232910/https://judiciary.house.gov/committee-activity/hearings/hearing-weaponization-federal-government-1>

⁵⁰ Azi Paybarah, "Democrats' anger boils over after GOP witnesses testify without taking questions." *The Washington Post*, March 30, 2023.

<https://www.washingtonpost.com/politics/2023/03/30/weaponization-committee-jim-jordan-democrats/>

represented former President Trump in front of the Supreme Court, arguing that presidential immunity shielded the President from prosecution for his role in the January 6 insurrection.⁵¹

Ultimately, on June 26, 2024, the Supreme Court concluded in a decisive 6-3 ruling, that *Missouri v. Biden* (renamed as *Murthy v. Missouri* in Supreme Court proceedings) was a case without merit.⁵² The Court stated that the plaintiffs, the Attorneys General – and by extension the Benz-Jordan-AFL axis – could not show any actionable harm done by communication between the federal government and social media companies. Justice Amy Coney Barrett surgically dismantled each of the plaintiffs’ fact-free claims. “The plaintiff cannot rest on ‘mere allegations,’” she wrote, “but must instead point to factual evidence.” Justice Barrett continued, noting that “the plaintiffs ‘fail[ed], by and large, to link their past social-media restrictions and the defendants’ communications with the platforms,” since nothing had prevented social media companies from acting independently, and according to their own terms of service, when making decisions on what content to moderate. On this, the Court was clear: Communication between researchers, government, and social media platforms about online harms is not actionable coercion. The ruling gutted the assertions made by bad actors, because the Court required evidence – of which there was none – to prove the claims they were making, and continue to make.^{53,54,55,56}

November 2022: As Republicans Win The House, AFL, FFO, And Right-Wing Media Begin Working In Lockstep—Sending Requests And Publishing Accusations And Culminating In The Release Of The Twitter Files

In November 2022, the architecture of the Information Laundering Cycle was completed. Republicans won control of the House of Representatives and Jim Jordan took the gavel at the Judiciary Committee as chairman and began working in tandem with Miller’s AFL and Benz’s FFO. In just the first three weeks of November, AFL sent a second round of FOIA requests and sued the State Department’s GEC and CISA, and Benz’s blog published a second, then third set of censorship accusations against the EIP and VP.^{57,58,59} Jordan also began sending letters to researchers and former government officials, including ASP’s CEO Nina Jankowicz, threatening to use his future subpoena power if they did not voluntarily comply with requests for documents or transcribed interviews.

⁵¹ Lawrence Hurley, “At Supreme Court, Trump lawyer backs away from absolute immunity argument.” *NBC News*, April 25, 2024.

<https://www.nbcnews.com/politics/supreme-court/trump-lawyer-backs-absolute-immunity-argument-supreme-court-rcna149406>

⁵² Supreme Court of the United States, *Murthy v. Missouri*, June 26, 2024. https://www.supremecourt.gov/opinions/23pdf/23-411_3dq3.pdf

⁵³ One of the primary actors making such claims is the New Civil Liberties Alliance (NCLA), led by Jenin Younes, which represented several *Murthy* plaintiffs. Younes would go on to engage in information laundering by: 1) Initially claiming that communication between researchers, social media platforms, and federal agencies constitutes censorship; 2) Representing plaintiffs via NCLA in *Murthy*; 3) Accepting a position with Jim Jordan’s Weaponization Subcommittee as a senior counsel, using Congressional resources to further such claims; 4) Appearing before *different* Congressional committees as an “outside expert” on issues of alleged censorship having accessed Congressional resources from the Weaponization Subcommittee.

⁵⁴ Courting Controversy with Jenin Younes, <https://rss.com/podcasts/courtingcontroversy/>

⁵⁵ Philip Hamburger, “No Remedy for Censorship: The Perils of *Murthy*.” *New Civil Liberties Alliance*, July 2, 2024.

<https://nclalegal.org/opinion/no-remedy-for-censorship-the-perils-of-murthy/>

⁵⁶ Jenin Younes Truth in Testimony Disclosure Form, June 26, 2024.

<https://docs.house.gov/meetings/SM/SM00/20240626/117376/HHRG-118-SM00-TTF-Younes.J-20240626.pdf>

⁵⁷ America First Legal, November 4, 2022.

<https://web.archive.org/web/20240703233507/https://aflegal.org/afl-sues-two-federal-agencies-for-hiding-federal-collusion-with-big-media-and-big-tech-t-o-censor-information-and-shape-public-opinion/>

⁵⁸ Mike Benz, “DHS Censorship Agency Had Strange First Mission: Banning Speech That Casts Doubt On ‘Red Mirage, Blue Shift’ Election Events.” *Foundation for Freedom Online*, November 9, 2022.

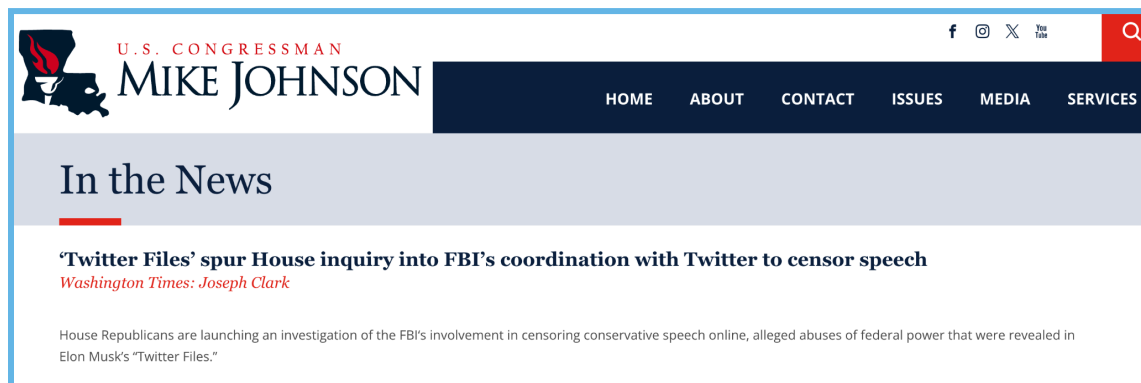
<https://web.archive.org/web/20240804192127/https://foundationforfreedomonline.com/dhs-censorship-agency-had-strange-first-mission-banning-speech-that-casts-doubt-on-red-mirage-blue-shift-election-events/>

⁵⁹ Mike Benz, “Biden’s National Science Foundation Has Pumped Nearly \$40 Million Into Social Media Censorship Grants and Contracts.” *Foundation for Freedom Online*, November 22, 2024.

<https://web.archive.org/web/20240324103140/https://foundationforfreedomonline.com/bidens-national-science-foundation-has-pumped-nearly-40-million-into-social-media-censorship-grants-and-contracts/>

Less than a month later, starting on December 2, 2022, independent bloggers Matt Taibbi and Michael Shellenberger published the first installment of the Twitter Files in a series of tweets (alongside others, including Bari Weiss, Alex Berenson, David Zweig, and Lee Fang) alleging that X/Twitter executives were complicit in acts of censorship against disfavored content, allowing the federal government to take down such content at-will.⁶⁰ Taibbi and Shellenberger alleged – using cherry-picked, decontexted documents – that the content in question was funneled to said federal agencies for review by private-citizen researchers, specifically from the EIP and VP. Following the first release of the Twitter Files, the Republican majority led by Jordan and James Comer began organizing hearings around the Twitter Files and sending letters and document requests to X/Twitter in regards to these purported censorship activities.^{61,62}

Right-wing media amplified the Twitter Files immediately upon their release, making straw-man arguments that government agencies and researchers who had acted as trusted flaggers to platforms were coercing or forcing social media companies to remove critical or unfavorable content – again, a claim that has since been rejected by the Supreme Court.^{63,64} They were joined by far-left media and those close to Taibbi's circle, including Glenn Greenwald.^{65,66} Even future Speaker Mike Johnson also amplified this narrative.⁶⁷



Future House Speaker Mike Johnson's official [website](#) amplified this narrative.

The Twitter Files were riddled with inaccuracies, including the notion that the EIP "censored" 22 million tweets about the 2020 election.⁶⁸ In actuality, the EIP tracked 22 million social media tweets, and only identified 2,890 (approximately 0.013% of the total tweets examined) which the EIP's researchers believed materially violated X/Twitter's terms of use and had the potential to physically undermine the integrity of the 2020 election. Even

⁶⁰ Matt Taibbi, "Capsule Summaries of all Twitter Files Threads to Date, With Links and a Glossary." *Racket News*, January 4, 2023.

<https://web.archive.org/web/20240717064216/https://www.racketnews/p/capsule-summaries-of-all-X/Twitter>

⁶¹ House Judiciary Committee Letter to Yoel Roth, December 6, 2022

<https://web.archive.org/web/20240522171051/https://oversight.house.gov/wp-content/uploads/2022/12/2022-12-6-Letter-to-Roth-X/Twitter.pdf>

⁶² House Judiciary Committee News Feature, December 23, 2022

<https://web.archive.org/web/20240628152416/https://judiciary.house.gov/media/in-the-news/house-gop-wants-fbis-X/Twitter-censorship-reimbursement-records>

⁶³ Chris Pandolfo, "White House denies involvement in X/Twitter censorship despite 'direct contact' on COVID 'misinformation'." *Fox Business*, December 9, 2022. <https://www.foxbusiness.com/politics/white-house-denies-involvement-X/Twitter-censorship-direct-contact-covid-misinformation>

⁶⁴ Victory Narva & Bruce Golding, "Latest 'Twitter Files' reveal secret suppression of right-wing commentators." *The New York Post*, December 8, 2022.

<https://nypost.com/2022/12/08/suppression-of-right-wing-users-exposed-in-latest-X/Twitter-files/>

⁶⁵ Branko Marcetic, "Why the Twitter Files Are in Fact a Big Deal." *Jacobin*, December 29, 2022

<https://jacobin.com/2022/12/X/Twitter-files-censorship-content-moderation-intelligence-agencies-surveillance>

⁶⁶ <https://web.archive.org/web/20230331162257/https://X/Twitter.com/ggreenwald/status/1636748182217453569>

⁶⁷ Office of Rep. Mike Johnson News Feature, December 23, 2022

<https://web.archive.org/web/20240722122937/https://mikejohnson.house.gov/news/documentsingle.aspx?DocumentID=1238>

⁶⁸ Mike Masnick, "Mehdi Hasan Dismantles The Entire Foundation Of The Twitter Files As Matt Taibbi Stumbles To Defend It." *TechDirt*, April 7, 2023.

<https://www.techdirt.com/2023/04/07/mehdi-hasan-dismantles-the-entire-foundation-of-the-X/Twitter-files-as-matt-taibbi-stumbles-to-defend-it/>

fewer of these posts were actually removed: X/Twitter took no action on two-thirds of those 2,890 tweets.⁶⁹ The EIP's webpage outlines the project's scope and the origin of the "22 million" figure:

The EIP did not censor any tweets or label any tweets as "misinformation." EIP has no ability to remove or label tweets or other posts, and content moderation decisions are independently made by social media platforms. As part of its non-partisan research relating to the 2020 U.S. presidential election, EIP analyzed 22 million tweets that contained keywords or URLs relevant to EIP's scope of work. EIP identified 2,890 unique tweet URLs in potential violation of X/Twitter's stated policies. EIP provided its factual analysis to the relevant platforms, which were then responsible for each platform's own content moderation decisions. The EIP informed X/Twitter and other social media platforms when certain social media posts violated each platform's own policies; EIP did not make recommendations to the platforms about what actions they should take.

The notion perpetuated in the Twitter Files that X/Twitter's content moderation procedures were unduly influenced in a partisan manner by the Biden Administration is also false. Testimony from X/Twitter and other companies would go on to point to how neither X/Twitter, nor the above-mentioned disinformation research projects, nor the private-citizen researchers maligned by Benz, Taibbi, and Shellenberger worked to take down any posts.⁷⁰ In fact, the Trump Administration was found on many occasions to have asked social media companies to take down posts it deemed unfavorable – exactly the "censorship" Benz, Taibbi, Shellenberger, and Jordan rail against.⁷¹ This was exemplified, in the screenshot below, during the sworn testimony of former X/Twitter executive Anika Navaroli, who fielded such a request from the Trump Administration, to remove a "derogatory statement directly toward the President" made by celebrity Chrissy Teigen, a clear ask by the Trump White House to censor speech protected by the First Amendment.^{72,73}

Mr. Connolly. Yes. OK. On September 8, 2019, at 11:11 p.m., Donald Trump heckled two celebrities on Twitter, John Legend and his wife Chrissy Teigen, and referred to them as "the musician John Legend and his filthy-mouthed wife." Ms. Teigen responded to that email at 12:17 a.m., and according to notes from a conversation with you, Ms. Navaroli, your counsel, the White House almost immediately thereafter contacted Twitter to demand that tweet be taken down. Is that accurate?

Ms. Navaroli. Thank you for the question. In my role, I was not responsible for receiving any sort of request from the government. However, what I was privy to was my supervisors letting us know that we had received something along those lines or something of a request. And in that particular instance, I do remember hearing that we had received a request from the White House to make sure that we evaluated this tweet, and that they wanted it to come down because it was a derogatory statement directly toward the President.

Mr. Connolly. They wanted it to come down. They made that request?

Ms. Navaroli. To my recollection, yes.

Moreover, claims from Shellenberger and Taibbi – amplified by Elon Musk – that federal law enforcement agencies, including the FBI, pressured, coerced, or forced X/Twitter to remove disagreeable content are also provably false.

⁶⁹ Stanford Internet Observatory, "Background on the SIO's Projects on Social Media." March 17, 2023.

<https://web.archive.org/web/20240808153510/https://cyber.fsi.stanford.edu/io/news/background-sios-projects-social-media>

⁷⁰ Shannon Bond, "Ex-X/Twitter officials reject GOP claims of government collusion." *NPR*, February 8, 2023.

<https://www.npr.org/2023/02/08/1155491204/ex-X/Twitter-officials-reject-gop-claims-of-government-collusion>

⁷¹ Adam Rawnsley & Asawin Suebsaeng, "X/Twitter Kept Entire 'Database' of Republican Requests to Censor Posts." *RollingStone*, February 8, 2023.

<https://www.rollingstone.com/politics/politics-news/elon-trump-X/Twitter-files-collusion-biden-censorship-1234675969/>

⁷² Bess Levin, "Yes, the Trump White House Demanded X/Twitter Remove Chrissy Teigen's Tweet" *Vanity Fair*, February 8, 2023.

<https://www.vanityfair.com/news/2023/02/chrissy-teigen-donald-trump-tweet-removed>

⁷³ House Oversight and Accountability Committee, "Protecting Speech from Government Interference and Social Media Bias, Part 1: X/Twitter's Role in Suppressing the Biden Laptop Story." Testimony of Anika Navaroli, February 8, 2023.

<https://www.congress.gov/event/118th-congress/house-event/115286/text>

An example of a typical correspondence from the FBI to X/Twitter can be seen below. The language used by the FBI in no way indicates any form of coercion, and in fact, the FBI even specifically defers to X/Twitter regarding any potential moderation of flagged content. In this example, the FBI stated that it was notifying X/Twitter to accounts potentially worthy of “action or inaction deemed appropriate within **Twitter** policy.”

On Thu, Nov 10, 2022 at 10:53 PM

[@fbi.gov](#) wrote:

Hello Twitter contacts,

FBI San Francisco is notifying you of the below accounts which may potentially constitute violations of Twitter's Terms of Service for any action or inaction deemed appropriate within Twitter policy.

And, in an even more grievous falsehood, Taibbi went so far as to claim that the EIP was set up to “fill the gaps” of the Disinformation Governance Board, using a spliced version of a quote from SIO Director Alex Stamos grossly out of context to make this point. The EIP was, once again, founded 100 days before the 2020 election, nearly two years before the Disinformation Governance Board was stood up and disbanded – in 2022. This completely contradicts the materially false claim Taibbi makes, that the Disinformation Governance Board was founded in 2020.



The Twitter Files would be released in 19 parts through early-March 2023, crafting almost endless fiction based on selectively edited email and text excerpts between the researchers, projects, platforms, and federal agencies. Taibbi’s and Shellenberger’s blogs have attracted tens of thousands of subscriptions since the publishing of the Twitter Files, and their profits appear to reflect that. Reliable estimates peg Taibbi’s earnings alone at more than \$500,000 per year.⁷⁴ Put simply, all indications are that the Twitter Files are a moneymaker for him and Shellenberger, and this revenue has fed a cycle of further unreliable publications, more subscribers, and record revenue for them, which continues at the time of this writing.

⁷⁴ Bron Maher, “Revealed: Top 27 highest-earning Substack newsletters generate over \$22m a year.” *Press Gazette*, February 9, 2023. <https://pressgazette.co.uk/newsletters/highest-earning-substacks/>

January 2023: Weaponization Subcommittee Holds Twitter Files Hearing, Disinformation Researchers Are Targeted Again, More Lawsuits Are Filed

On January 17, 2023 a federal search warrant was issued for Donald Trump's former X/Twitter account in regards to the January 6th insurrection. X/Twitter was given 10 days to comply with the warrant, but failed to do so and was ultimately fined \$350,000 by the United States Court of Appeals for the District of Columbia.⁷⁵ On January 27, 2023 – the “comply by” date of the search warrant – Elon Musk held a meeting with then-Speaker of the House Kevin McCarthy and Chairman Jim Jordan.⁷⁶ Notably, while Musk claimed he met with “both parties,” Axios reported that this was not the case.⁷⁷

Exactly two weeks later, Jordan held the first sitting of the Weaponization Subcommittee and moved to subpoena five major tech companies, notably *excluding* X/Twitter. Jordan claimed X/Twitter had “set a benchmark for how transparent Big Tech companies can be about interactions with government over censorship,” and that the Twitter Files “exposed how Big Tech and the federal government have worked hand in hand in ways that undermine First Amendment principles.”⁷⁸ Twitter Files releases began to slow down, ultimately concluding in March 2023, but by then Jordan had secured a massive budget and Weaponization Subcommittee Staff Reports were plentiful.⁷⁹

On March 7, 2023, one such Staff Report on FTC “harassment” of Elon Musk's X/Twitter was released.⁸⁰ In lock-step with the Weaponization Subcommittee, AFL just one week later focused its efforts on the Federal Trade Commission's (FTC) targeting of X/Twitter, filing Inspector General and Ethics complaints.⁸¹ In September 2023, AFL would sue the FTC – in essence, doing the Weaponization Subcommittee's dirty work for them. We explore in Part II of this report each individual step in the information laundering process through which AFL, the Weaponization Subcommittee, and other bad actors turn false allegations into major federal lawsuits.

On March 9, 2023, the Weaponization Subcommittee held a hearing that included testimony from Taibbi and Shellenberger.⁸² This coincided with further accusations made the same day by Mike Benz and FFO, that certain prominent disinformation researchers involved with the EIP and VP worked for the CIA, and that organizations such as the National Endowment for Democracy and National Democratic Institute were CIA “cut-outs.” Prior to the hearing, Benz formed a close relationship with the two journalists, even sitting behind Taibbi and Shellenberger as they testified. Benz connected with Taibbi over X/Twitter Spaces and helped prepare him for his hearing in Congress.⁸³

⁷⁵ United States Court of Appeals for the District of Columbia,

[https://www.cadc.uscourts.gov/internet/opinions.nsf/64C651B4E1AD395485258A06005B09BD/\\$file/23-5044-2011549.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/64C651B4E1AD395485258A06005B09BD/$file/23-5044-2011549.pdf)

⁷⁶ Herb Scribner & Shawna Glen, “Elon Musk meets with GOP leaders, including McCarthy, at U.S. Capitol.” *Axios*, January 27, 2023

<https://www.axios.com/2023/01/27/elon-musk-kevin-mccarthy-us-capitol>

⁷⁷ *Ibid.*

⁷⁸ House Subcommittee on the Weaponization of the Federal Government Letter to Mark Zuckerberg, February 15, 2023.

<https://web.archive.org/web/20240522054031/https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2023-02-15-jdj-to-zuckerberg-meta.pdf>

⁷⁹ Warren Rojas, “House weaponization panel seeks to eclipse January 6 committee's \$18M+ budget.” *Business Insider*, March 8, 2023.

<https://www.businessinsider.com/jim-jordan-weaponization-committee-bigger-budget-request-with-no-accountability-2023-3>

⁸⁰ House Subcommittee on the Weaponization of the Federal Government Interim Staff Report, March 7, 2023

https://web.archive.org/web/20240628122405/https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/W/eaonization_Select_Subcommittee_Report_on_FTC_Harassment_of_X/Twitter_3.7.2023.pdf

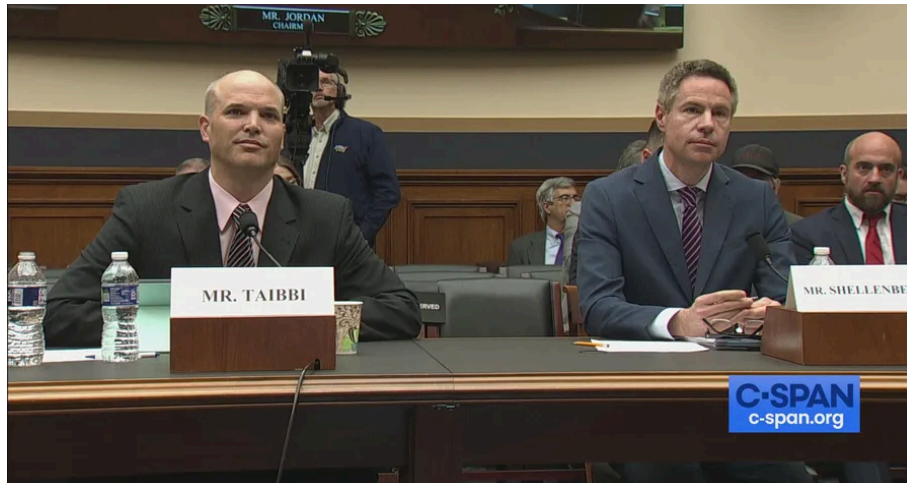
⁸¹ America First Legal, March 13, 2023.

<https://aflegal.org/america-first-legal-files-ethics-and-ig-complaints-and-opens-an-investigation-of-the-ftcs-retaliatory-targeting-of-elon-musk-and-X/Twitter-for-exposing-deep-state-censorship/>

⁸² CSPAN, “Hearing on X/Twitter Documents About Content Moderation Decisions.” March 9, 2023.

<https://www.c-span.org/video/?526578-1/hearing-X/Twitter-documents-content-moderation-decisionsordan-1786786>

⁸³ <https://web.archive.org/web/20240430120323/https://X/Twitter.com/tarapalmeri/status/1634008426626834432>



Taibbi and Shellenberger testified to the House Weaponization Committee, with Benz seated behind them, right. Photo credit belongs to CSPAN.

Almost one year to the day after filing *Missouri v. Biden*, on May 2, 2023, AFL filed another lawsuit against all of the aforementioned disinformation researchers involved in the EIP, VP, and EI-ISAC.⁸⁴ The lawsuit claims that the projects constitute a “mass-surveillance and mass-censorship program,” adding that this alleged “censorship encompasses thousands of speakers and millions of social-media posts, while [the alleged] surveillance extends to hundreds of millions of social-media posts.” On their face, these claims are preposterous. Recall, taking the EIP’s X/Twitter data as an example, that of the 22 million publicly-available tweets⁸⁵ the EIP examined (whose keywords matched pre-existing, election-related narratives), only 0.013% of them were ever flagged to X/Twitter for potentially violating X/Twitter’s terms of service. **Of this 0.013%, only one-third were acted upon by X/Twitter, and even fewer tweets were actually removed from the platform.**

July 2024: Judiciary Committee Revives Claims of Censorship Against Conservatives on X/Twitter, Attacks The Global Alliance For Responsible Media

On July 10, 2024 the House Judiciary Committee Majority, led by Chairman Jordan, published another staff report repeating claims that conservatives on X were being censored or otherwise punished for their views.⁸⁶ This time, though, Jordan and his staff shifted their focus to advertisers who had left X since Elon Musk’s takeover and the increase in hate speech that followed.⁸⁷ The Judiciary Committee’s report takes aim at the Global Alliance for Responsible Media (GARM), run by the World Federation of Advertisers, representing a coalition of independent, private companies, from CVS to Mars.⁸⁸ GARM aims to address the challenges of illegal and harmful content online, avoid its monetization, and helps advertisers avoid ad placements next to such content. It is an entirely voluntary coalition, whose members are free to make advertising decisions which are right for them. This right for private

⁸⁴ *Hines v. Stamos* (3:23-cv-00571), <https://storage.courtlistener.com/recap/gov.uscourts.lawd.199277/gov.uscourts.lawd.199277.1.0.pdf>

⁸⁵ Stanford Internet Observatory, “Background on the SIO’s Projects on Social Media.” March 17, 2023.

<https://web.archive.org/web/20240808153510/https://cyber.fsi.stanford.edu/io/news/background-sios-projects-social-media>

⁸⁶ House Judiciary Committee Interim Staff Report, July 10, 2024

<https://web.archive.org/web/20240809130825/https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2024-07-10%20GARMs%20Harm%20-%20How%20the%20Worlds%20Biggest%20Brands%20Seek%20to%20Control%20Online%20Speech.pdf>

⁸⁷ Sheera Frenkel & Kate Conger, “Hate Speech’s Rise on X/Twitter Is Unprecedented, Researchers Find.” *The New York Times*, December 12, 2022.

<https://www.nytimes.com/2022/12/02/technology/X/Twitter-hate-speech.html>

⁸⁸ “GARM announces guidelines on misinformation, standards on ad placements and expansion to cover the metaverse” June 21, 2022.

<https://wfanet.org/knowledge/item/2022/06/21/GARM-announces-guidelines-on-misinformation-standards-on-ad-placements-and-expansion-to-cover-the-metaverse>

companies to do business (or not) with other private companies is bedrock First Amendment-protected speech.⁸⁹ The Judiciary Committee in its report outlined its disagreement with this assertion, stating that GARM was in essence a monopoly, and worthy of being broken up per US antitrust law.

Less than a month later, on August 6, 2024, X filed a lawsuit against GARM, directly citing the House Judiciary Committee's antitrust argument.⁹⁰ It is well known that the stark increase of hate speech and disinformation on X since Elon Musk's takeover has driven away advertisers.⁹¹ However, an irony persists that those claiming to be censored are in fact attempting to abridge the freedom of private companies to conduct business as they see fit – including by canceling advertisement purchases on platforms which espouse content contrary to their values.⁹² Immediately following the filing of the lawsuit against researchers, far-right media have amplified it, perpetuating false claims of censorship.⁹³ Moreover, the three-week gap between the House Judiciary Committee's staff report and X/Twitter's lawsuit again raises questions about the possibility of untransparent cooperation between the Judiciary Committee Majority and conservative actors.⁹⁴ Less than 48 hours after X/Twitter filed its lawsuit against GARM, the collective announced it would be shutting down.⁹⁵

This “cycle” of document releases via testimony, litigation, or leaks, tactically conducted alongside oversight action from the Weaponization Subcommittee or Judiciary Committee, followed by further litigation from AFL or other private sector actors, forms the backbone of the systematic laundering of false narratives for public consumption and attempts to halt the work of researchers and advocates working to uplift and support the truth.

⁸⁹ Claire Atkin, “The First Amendment Protects Advertisers, Too,” *Tech Policy Press*, July 23, 2024.

<https://www.techpolicy.press/the-first-amendment-protects-advertisers-too/>

⁹⁰ Sara Fischer, “Scoop: X sues major brands, ad industry group for antitrust.” *Axios*, August 6, 2024.

<https://www.axios.com/2024/08/06/scoop-x-sues-major-brands-ad-industry-group-for-antitrust>

⁹¹ Sheera Frenkel & Kate Conger, “Hate Speech's Rise on X/Twitter Is Unprecedented, Researchers Find.” *The New York Times*, December 12, 2022.

<https://www.nytimes.com/2022/12/02/technology/X/Twitter-hate-speech.html>

⁹² *Ibid.*

⁹³ Thomas Barrabi, “Elon Musk's X files antitrust suit against shadowy ad cartel for allegedly coordinating ‘illegal boycott’.” *New York Post*, August 6, 2024.

<https://nypost.com/2024/08/06/business/x-files-antitrust-suit-against-shadowy-ad-cartel-for-allegedly-coordinating-illegal-boycott/>

⁹⁴ Jim Rutenberg & Steven Lee Myers, “How Trump's Allies Are Winning the War Over Disinformation.” *The New York Times*, March 17, 2024.

<https://www.nytimes.com/2024/03/17/us/politics/trump-disinformation-2024-social-media.html>

⁹⁵ Lara O'Reilly, “The Global Alliance for Responsible Media is ‘discontinuing’ after Elon Musk's X filed an antitrust lawsuit against it.” *Business Insider*, August 8, 2024. <https://www.businessinsider.com/ad-group-to-suspend-garm-initiative-following-elon-musk-lawsuit-2024-8>

The Information Laundering Cycle

The Steps Of The Information Laundering Cycle

Allegations about censorship were amplified by what we have dubbed the Information Laundering Cycle (ILC): the process through which baseless claims of censorship flow directly from bad actors, to the Weaponization Subcommittee, to AFL, and beyond. We identify this process as having fully come to life in 2023, and having made a significant impact on the disinformation research space in the year and a half after its formation. We demonstrate its culmination in frivolous lawsuits, document requests, and accusations designed to intimidate and silence disinformation researchers. This ILC process is laid out in five steps below, and concretely exemplified in three cases: the lawsuit against independent, private-citizen disinformation researchers in May 2023, the lawsuit against the FTC for alleged “unfair targeting” of X/Twitter in September 2023, and potentially precedent-setting document requests against the CIS in February 2024.

The steps of the Information Laundering Cycle

1

False, misleading, or manipulated claims are asserted by bad actors promoting the notion of the censorship against conservative viewpoints by researchers, platforms, and the federal government

2

Initial actions, such as letters or document requests, are taken by the Weaponization Subcommittee

3

Further claims, document releases, or FOIA requests are asserted or perpetuated by said bad actors, conservative media, or America First Legal

4

Secondary actions are taken by the Weaponization Subcommittee, in the form of subpoenas or depositions, often in close coordination with the aforementioned actors

5

America First Legal and others file lawsuits, briefs, or other litigation in response to the whichever issues du jour are pursued in the four prior steps

The Information Laundering Cycle In Action

Over the course of three months, from March-May 2023, we see that this playbook was used – to the letter – by the actors crusading against private-citizen disinformation researchers, in a seminal effort which culminated in a major lawsuit against them. The steps of this effort are laid out below.

1

Mike Benz, Matt Taibbi, and Michael Shellenberger vigorously pursued claims of censorship against disinformation researchers, including those who worked with the EIP and VP, saying they were evil, anti-American, and out to get conservatives. Their work ramped up throughout 2022, and sought to escalate legal and political action against, in the words of Benz, “...the domestic censorship industry being financed and directed by the US government.”^{96,97}

2

The fallout from Benz’s, Shellenberger’s, and Taibbi’s misleading statements about the counter-disinformation research community at large was unmistakable. Roughly two weeks later, on March 22, 2023, Jim Jordan sent the first of many letters and document requests to Renée DiResta and the SIO, Kate Starbird and UW, as well as Clemson University and the German Marshall Fund of the United States (GMFUS), in regards to their work on the EIP and VP. According to ProPublica, the letters requested “documents and information dating back to January 2015 between any ‘employee, contractor, or agent of your organization’ and the federal government or social media organizations pertaining to the moderation of social media content.”⁹⁸

3

After the Weaponization Subcommittee’s letters and document requests were sent, the above-mentioned bad actors doubled down. Between March 28, 2023 and April 12, 2023, Public (Shellenberger), Racket News (Taibbi), and other faux-journalistic outlets, continued peddling false, misleading, spliced, and out of context information about DiResta, Starbird, GMFUS, and other researchers in the context of the EIP, as well as the State Department, Centers for Disease Control (CDC), and CISA, in the context of the VP.^{99,100,101} Two weeks later, on April 25, 2023, Benz and FFO released another ‘report’ which further claimed the VP, in partnership with the State Department GEC, had been deliberately

⁹⁶ Matt Taibbi, “PayPal’s IndyMedia Wipeout.” *Racket News*, May 3, 2022.

<https://web.archive.org/web/20240518060357/https://www.racket.news/p/paypals-indymedia-wipeout>

⁹⁷ Mike Benz, “Department Of Homeland Censorship’: How DHS Seized Power Over Online Speech.” *Foundation for Freedom Online*, August 27, 2022. <https://web.archive.org/web/20240227005242/https://foundationforfreedomonline.com/department-of-homeland-censorship-how-dhs-seized-power-over-online-speech/>

⁹⁸ Andrea Bernstein, “Republican Rep. Jim Jordan Issues Sweeping Information Requests to Universities Researching Disinformation.” *ProPublica*, March 23, 2023. <https://www.propublica.org/article/jim-jordan-information-requests-universities-disinformation>

⁹⁹ Matt Taibbi, “Meet the Censored: Me?” *Racket News*, April 13, 2023.

<https://web.archive.org/web/20240521101144/https://www.racket.news/p/meet-the-censored-me>

¹⁰⁰ Jacob Siegel, “A Guide to Understanding the Hoax of the Century.” *Tablet Magazine*, March 28, 2023.

<https://www.tabletmag.com/sections/news/articles/guide-understanding-hoax-century-thirteen-ways-looking-disinformation>

¹⁰¹ Mike Benz, “Department Of Homeland Censorship’: How DHS Seized Power Over Online Speech.” *Foundation for Freedom Online*, August 27, 2022. <https://web.archive.org/web/20240227005242/https://foundationforfreedomonline.com/department-of-homeland-censorship-how-dhs-seized-power-over-online-speech/>

censoring conservative criticism of COVID-19 policies and vaccines.¹⁰² The report additionally targeted Graphika, a private media intelligence firm which had participated in the EIP.

4

Three days following Benz's report, on April 28, 2023, Jim Jordan issued a round of subpoenas to the heads of the CDC, CISA, and the GEC.¹⁰³ The subpoenas and accompanying press releases were laden with references to and quotes from Shellenberger and Taibbi's testimony to the subcommittee. Thus far in the ILC process, we can see how repeated claims, no matter how baseless, lead to testimony and then to document requests and letters. The subpoenaing and deposing of and threats of legal action against these federal agency heads by Jordan represented an escalatory step in the ILC process.¹⁰⁴

5

Four days later on May 2, 2023, the process culminated in the filing of a lawsuit by AFL against the SIO and its Director and Research Manager, Alex Stamos and Renée DiResta, Kate Starbird of UW, Graphika, and the Atlantic Council's DFRLab.¹⁰⁵ This lawsuit alleges that these researchers "conspired with the federal government to conduct a mass surveillance and censorship operation targeting the political speech of millions of Americans on social media platforms...target[ing] conservative political speech on questions of great public interest like election integrity, COVID-19 vaccines, and vaccine mandates. The filing, however, also demonstrates the end goal of this cast of actors: to intimidate, financially burden, and stifle the work of these researchers in the run-up to the 2024 election. Ultimately, roughly one year later on June 14, 2024, it was announced that the SIO would be shutting down before the end of Summer 2024."¹⁰⁶

The five steps of this process are interchangeable; the process can start on any step. Over a six month period, from March–September 2023, we observe a version of this playbook used by actors promoting the ILC to pursue frivolous claims that the FTC targeted Elon Musk and X/Twitter unfairly at various points over the preceding year for, in the words of AFL, "exposing the Biden Administration's collusive censorship" via the Twitter Files.

This version of events begins with **Step 2**.

2

Less than two months after a closed-door, partisan meeting with Elon Musk on Capitol Hill, the Weaponization Subcommittee released on March 7, 2023 a 100-page Staff Report.^{107,108} It accused the FTC

¹⁰² Mike Benz, "Pentagon-Funded Censorship Firm Graphika Began Monitoring Covid 'Disinfo' On Dec. 16, 2019 – Two Weeks Before WHO Knew Covid Existed." *Foundation for Freedom Online*, April 25, 2023.

<https://web.archive.org/web/20231203071240/https://foundationforfreedomonline.com/pentagon-funded-censorship-firm-graphika-began-monitoring-covid-disinfo-on-dec-16-2019-two-weeks-before-who-knew-covid-existed-2/>

¹⁰³ House Judiciary Subcommittee on the Weaponization of the Federal Government, Press Release, April 28, 2023.

<https://web.archive.org/web/20231015235155/https://judiciary.house.gov/media/press-releases/chairman-jordan-subpoenas-cdc-cisa-and-gec-document-s-and-communications>

¹⁰⁴ <https://web.archive.org/web/20240704140629/https://x.com/JudiciaryGOP/status/1664399643113914369>

¹⁰⁵ America First Legal, May 2, 2023.

<https://web.archive.org/web/20240617053934/https://aflegal.org/america-first-legal-files-landmark-federal-class-action-lawsuit-against-private-entities-that-conspired-with-the-federal-government-to-censor-speech/>

¹⁰⁶ Casey Newton & Zoë Schiffer, "The Stanford Internet Observatory is being dismantled." *Platformer News*, June 13, 2024.

<https://www.platformer.news/stanford-internet-observatory-shutdown-stamos-diresta-sio/>

¹⁰⁷ Rebecca Kern & Nicholas Wu, "Musk blows off Dems in first Capitol tour as X/Twitter CEO." *Politico*, January 31, 2023.

<https://www.politico.com/news/2023/01/31/elon-musk-republicans-capitol-X/Twitter-00080516>

¹⁰⁸ House Subcommittee on the Weaponization of the Federal Government Interim Staff Report, March 7, 2023

https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/Weaponization_Select_Subcommittee_Report_on_FTC_Harrassment_of_X/Twitter_3.7.2023.pdf

of unfairly targeting Elon Musk and X/Twitter for having exposed, via the Twitter Files, alleged government censorship efforts around COVID-19 and the 2020 election. In reality, the FTC was investigating – at that point for several months – the company’s data privacy practices, which were the subject of a 2011 consent decree mandating enhanced oversight.¹⁰⁹ However, this did not stop the Subcommittee from releasing selectively-cut letter excerpts and cropped images, designed to support its chosen narrative.

3

One week after the Weaponization Subcommittee’s Staff Report, on March 13, 2023, AFL filed a series of FOIA and ethics requests with the FTC, alleging that Democratic lawmakers and officials, out of “partisan animus,” improperly weaponized the federal government to “protect the Biden Administration.”¹¹⁰ In its requests, AFL specifically and repeatedly referenced the Weaponization Subcommittee’s Staff Report; with this filing, we can glean a pattern of AFL ostensibly doing the Subcommittee and Jordan’s dirty work for them – filing frivolous litigation around the topics du jour that the Weaponization Subcommittee “investigates,” in a one-two punch. These interactions – among others – have been reported as themselves potentially violating the U.S. House ethics rules, with serious allegations that Jordan and the Weaponization Subcommittee have unethically released documents to AFL for litigation-filing purposes.¹¹¹

AFL’s complaint with the Commission’s Inspector General (IG) requests an investigation of the Commission Chairwoman Lina Khan and other officials for abuse of power.

Finally, AFL filed a Freedom of Information Act (FOIA) request seeking records that might shed light on the reasons and motivations for the Commission’s egregious abuse of power.

AFL’s actions follow the public release of a March 7, 2023, [staff report](#) by the U.S. House of Representatives Committee on the Judiciary and Select Subcommittee on the Weaponization of the Federal Government documenting the Commission’s abuse and harassment of Twitter and Elon Musk.

AFL will keep fighting to protect the First Amendment and to stop the Biden Administration from abusing federal power.

America First Legal’s [webpage](#) detailing its initial legal actions against the FTC openly touts its cooperation with the Weaponization Subcommittee

4

Three weeks later, on April 12, 2023, the Weaponization Subcommittee issued a round of subpoenas to the FTC seeking documents related to its “oversight” of the FTC’s “abuse of its statutory authorities” around its investigation of X/Twitter.¹¹² While the FTC offered multiple times to brief Jim Jordan and subcommittee staff on the FTC’s investigation of X/Twitter’s privacy practice, the Weaponization Subcommittee instead chose to issue these subpoenas as a rage-baiting statement.¹¹³ Steps like these – issuing subpoenas and ignoring good-faith offers to brief committee staff – are deliberate and designed to

¹⁰⁹ Federal Trade Commission Press Release, March 11, 2011

<https://web.archive.org/web/20240527020612/https://www.ftc.gov/news-events/news/press-releases/2011/03/ftc-accepts-final-settlement-X/Twitter-failure-safeguard-personal-information-0>

¹¹⁰ America First Legal, March 13, 2023.

<https://web.archive.org/web/20240308203951/https://aflegal.org/america-first-legal-files-ethics-and-ig-complaints-and-opens-an-investigation-of-the-ftcs-retaliatory-targeting-of-elon-musk-and-X/Twitter-for-exposing-deep-state-censorship/>

¹¹¹ Jim Rutenberg & Steven Lee Myers, “How Trump’s Allies Are Winning the War Over Disinformation.” *The New York Times*, March 17, 2024.

<https://www.nytimes.com/2024/03/17/us/politics/trump-disinformation-2024-social-media.html>

¹¹² House Judiciary Committee Subpoena Cover Letter, April 12, 2023.

<https://web.archive.org/web/20240617034040/https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2023-04-12-jdj-to-khan-ftc-subpoena-cover-letter.pdf>

¹¹³ Lauren Feiner, “House Judiciary Committee subpoenas FTC for X/Twitter-related documents.” *CNBC*, April 12, 2023.

<https://www.cnb.com/2023/04/12/house-judiciary-committee-subpoenas-ftc-for-X/Twitter-related-documents.html>

stifle legitimate oversight and exposure of entities rife with disinformation and hate speech, such as X/Twitter.¹¹⁴

5

Roughly five months later, on September 21, 2023, AFL filed a lawsuit against the FTC for allegedly violating the FOIA and failing to turn over requested documents, again, despite the FTC's good-faith offer to brief the subcommittee.¹¹⁵ The complaint further repeats the false and misleading claim that the FTC improperly targeted X/Twitter and Elon Musk for exposing the Biden Administration's "censorship efforts." The lawsuit – in addition to the ethics requests AFL filed in March 2023 – has stalled in the year since, demonstrating its frivolousness.

1

Following the repeated letters, document requests, and the lawsuit filed against the FTC by AFL and the Weaponization Subcommittee, conservative actors – including Sen. Ted Cruz and the *New York Post* – doubled down just days after the lawsuit was filed, leveraging these actions to further perpetuate these false claims.^{116,117}

Following an active summer and fall with further Staff Reports from the Weaponization Subcommittee and filings from AFL on a host of issues, this cycle again repeated itself, this time in regards to a particular member of the EIP – the CIS. While the CIS has not been a first-level focus of political action and litigation, its nonpartisan reputation allows us to trace and demonstrate the ILC, in a slightly abridged form, also beginning with **Step 2**.

2

The Weaponization Subcommittee released on November 6, 2023 a Staff Report covering CISA's alleged nefarious role in participating in the EIP.¹¹⁸ This report made specific mention of the CIS, and its researchers' (mundane) communications with CISA and social media stakeholders. The same day, the House Homeland Security Committee also released a Staff Report echoing many of the Weaponization Staff Report's claims, accusing the CIS and the EI-ISAC of wholesale censorship around COVID-19 and the 2020

¹¹⁴ Jonathan Vanian, "Elon Musk's X sued this nonprofit after it exposed hate speech, and its new research shows little has changed." *CNBC*, September 13, 2023. <https://www.cnn.com/2023/09/13/x-formerly-X/Twitter-hate-speech-running-rampant-cdh.html>

¹¹⁵ America First Legal, September 21, 2023.

<https://web.archive.org/web/20240308203126/https://aflegal.org/america-first-legal-sues-the-federal-trade-commission-for-illegally-concealing-document-s-on-government-targeting-of-elon-musk-and-x-X/Twitter/>

¹¹⁶ Senator Ted Cruz Newsletter, September 22, 2023.

<https://web.archive.org/web/20240525204430/https://www.cruz.senate.gov/newsroom/blogs/e-newsletter/-week-of-september-22nd>

¹¹⁷ Miranda Devine, "With new declaration, luminaries warn that online censorship is destroying freedom." *New York Post*, October 18, 2023.

<https://nypost.com/2023/10/18/with-new-declaration-luminaries-warn-that-online-censorship-is-destroying-freedom/>

¹¹⁸ House Subcommittee on the Weaponization of the Federal Government Interim Staff Report, November 6, 2023.

https://web.archive.org/web/20240726200806/https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/EI-P_Jira-Ticket-Staff-Report-11-7-23-Clean.pdf

election.¹¹⁹ Once again, we note that the CIS's efforts around the tracking and flagging of tweets during these events was limited to legitimately dangerous content – such as tweets which impersonated elected officials or promoting false statements of fact about polling place locations or voter eligibility.¹²⁰

3

Three weeks later on November 30, 2023, Taibbi and Shellenberger again testified about the Twitter Files and purported government censorship stemming from coercion of social media platforms by researchers, including the SIO, and DHS agencies including CISA, in the context of the EIP.¹²¹ Shellenberger's written testimony, in particular, included lengthy coverage of the CIS.¹²² Of the topics this testimony touches on, Shellenberger without basis alleges that the CIS name and acronym were designed to deliberately "confuse people," after Taibbi conflated CIS and CISA (See image below). Taibbi and Shellenberger also both misled the public and Members about the mission of the EIP, claiming it was a "public-private censorship operation" which "may have originated from a framework originally created by military contractors," rather than its stated mission as a "nonpartisan coalition to "defend our elections against those who seek to undermine them." Taibbi and Shellenberger continued on, claiming that CISA and CIS planned to develop a nefarious "misinformation reporting portal." This testimony was widely covered and amplified by several Fox News primetime segments.¹²³

Matt Taibbi @mtaibbi · Mar 9
30. It's crucial to reiterate: EIP was partnered with state entities like CISA and GEC while seeking elimination of millions of tweets. In the #TwitterFiles, Twitter execs did not distinguish between organizations, using phrases like "According to CIS[A], escalated via EIP."

Matt Graydon 16:39:43

This is a very long and legal-heavy video, but essentially it claims that PA election workers opened the inner envelopes on ballots before election day and called people to correct their ballots prior to election day. According to CIS (escalated via EIP), the video misrepresents 1) PA law, 2) the PA Supreme Court decision, and 3) the affidavits shown in the video (details in the thread). Thoughts on how to handle this one?
{<https://twitter.com/tracybeanz/status/1326981600689602561?s=19>}

A major falsehood in the Twitter Files lies in Taibbi's conflation of CIS with CISA. After this was exposed by Mehdi Hasan, Shellenberger would go on to claim that the CIS and CISA acronyms were intentionally designed to "confuse people," and obfuscate censorship taking place. Yet, despite Taibbi's and Shellenberger's confusion, this error entirely disproves the claim that EIP partnered with "state entities" in "seeking elimination of millions of tweets." That didn't happen, and EIP never escalated millions of tweets to CISA (the Cybersecurity and Infrastructure Security Agency – just to avoid any confusion).

¹¹⁹ House Homeland Security Committee Interim Staff Report, November 6, 2023.

<https://web.archive.org/web/20240727231727/https://homeland.house.gov/2023/11/06/chairmen-green-bishop-uncover-new-evidence-of-dhs-big-tech-co-laborating-to-censor-americans/>

¹²⁰ Mike Masnick, "Mehdi Hasan Dismantles The Entire Foundation Of The Twitter Files As Matt Taibbi Stumbles To Defend It." *TechDirt*, April 7, 2023.

<https://web.archive.org/web/20240809205518/https://www.techdirt.com/2023/04/07/mehdi-hasan-dismantles-the-entire-foundation-of-the-X/Twitter-files-a-s-matt-taibbi-stumbles-to-defend-it/>

¹²¹ House Subcommittee on the Weaponization of the Federal Government Hearing, November 30, 2023.

<https://web.archive.org/web/20240707074459/https://judiciary.house.gov/committee-activity/hearings/hearing-weaponization-federal-government-4>

¹²² House Subcommittee on the Weaponization of the Federal Government, Testimony of Michael Shellenberger, November 30, 2023.
https://web.archive.org/web/20240725074019/https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/shellenberger_testimony.pdf

¹²³ Alicia Warren, "Government's involvement in censorship a 'grave threat to our republic,' says Sen. Rand Paul." *Fox Business*, November 30, 2023.
<https://www.foxbusiness.com/media/governments-involvement-censorship-grave-threat-our-republic-sen-rand-paul>

5

Roughly two months later, on February 2, 2024, AFL filed a series of public records requests in Arizona around both the EI-ISAC and CIS writ large.¹²⁴ AFL claimed that elected officials in Arizona identified disagreeable posts about the 2020 election, notified the EI-ISAC, who then “relayed the censorship requests to the social media platforms.” While a FOIA request isn’t ordinarily as significant a legal action as a lawsuit, this request by AFL is substantial enough to land as “Step 5” in this scenario. AFL asserts Arizona government officials “outsourced” censorship to the CIS – again, a nonprofit, nongovernmental organization. AFL argues CIS would become subject to Arizona public records laws because it acted as an outsourced “government agent.” This position presents a grave danger to expose, doxx, or subject to further legal action any private organization or individual, who, acting in good faith – as EIP, Stanford, GMFUS and others did – were to simultaneously engage government authorities and social media platforms about dangerous or illegal content online.¹²⁵ This is the exact type of outcome bad actors like AFL and the Weaponization Subcommittee wish to see in the run up to the 2024 election, create circumstances within the information environment to aid in achieving their overarching political goals.¹²⁶

CIS is organized as a non-profit organization, but it is still subject to Arizona’s public records laws because Arizona courts have held that when a public body in Arizona that is subject to the PRL “outsource[s] its important ... function” to a private entity, then that entity’s “documents with a substantial nexus to government activities qualify as public records.” If an Arizona government agency had directly removed online political speech protected by the federal and Arizona constitutions, records of that suppression of free speech would be subject to public records requests. Thus, CIS’s censorship actions on behalf of Arizona government entities are subject to Arizona’s public record law.

An excerpt of America First Legal’s [webpage](#) highlighting its radical legal rationale

1

Finally, following AFL’s records filings in Arizona, a one-two punch to keep this narrative circulating was carried out by the Weaponization Subcommittee and other bad actors. This included an additional Staff Report on the EIP’s receipt of grants from the National Science Foundation, published February 5, 2024, and a concerted effort by the Heritage Foundation the week of February 12, 2024 to brand the EIP as an operation of “the Left.”^{127,128} Notably, and once again, the Weaponization Subcommittee’s report, as well as the Heritage Foundation’s “research,” makes specific reference to Taibbi’s and Shellnberger’s testimony about the CIS and EI-ISAC.

¹²⁴ America First Legal, February 2, 2024.

<https://web.archive.org/web/20240308203505/https://aflegal.org/america-first-legal-continues-fight-against-unlawful-censorship-files-records-requests-wit-h-the-center-for-internet-security-and-arizona-agencies-and-counties-regarding-social-media-censorship-in-ari/>

¹²⁵ Michelle Amazeen, “POV: Disinformation Researchers Are under Attack by Government Legislators.” *Boston University*, August 16, 2023.

<https://www.bu.edu/articles/2023/disinformation-researchers-under-attack-by-government-legislators/>

¹²⁶ J.J. McCorvey, “Tech layoffs shrink ‘trust and safety’ teams, raising fears of backsliding efforts to curb online abuse.” *NBC News*, February 10, 2023.

<https://nbcnews.com/tech/tech-news/tech-layoffs-hit-trust-safety-teams-raising-fears-backsliding-efforts-rcna69111>

¹²⁷ House Subcommittee on the Weaponization of the Federal Government Interim Staff Report, February 5, 2024.

https://web.archive.org/web/20240810095237/https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/N-SF-Staff-Report_Appendix.pdf

¹²⁸ Mike Gonzales, “Conservatives Must Go on Offense Against the Left’s Censors.” *Heritage Foundation*, February 16, 2023.

<https://web.archive.org/web/20240406191153/https://www.heritage.org/progressivism/commentary/conservatives-must-go-offense-against-the-lefts-censors>

In a similar vein, the [Twitter Files](#) revealed that the people on the receiving end of these requests—the various “trust and safety teams” at Big Tech—often felt overwhelmed. For example, in the days leading up to the 2020 U.S. election, Twitter personnel had discussions about how to handle the “backlog” of incoming requests and how to best “prioritize” them.¹⁹ Government-funded third parties, such as the [Center for Internet Security \(CIS\)](#), offered to create “misinformation portals” for social media companies to better facilitate these types of requests.²⁰

Excerpt from the Interim House Select Subcommittee on the Weaponization of the Federal Government Staff Report dated February 5, 2024

Today, Taibbi, Shellenberger, and other bad actors continue to dredge up and selectively splice emails, communications, documents to spread the false and malicious narrative that disinformation researchers are acting as government agents and censoring the speech and opinions of millions of Americans.^{129,130,131} Such a phenomenon, if it were happening, would be morally reprehensible; but it simply isn’t the case. The bad actors promoting this fictitious narrative are estimated to earn hundreds of thousands of dollars a year on Substack amplifying these claims, Staff Reports continue to flow from the Weaponization Subcommittee, and AFL is actively filing briefs, new lawsuits, and records requests around alleged censorship.^{132,133}

Conclusion

Claims made by Jim Jordan's House Weaponization Subcommittee, former Trump administration officials including Stephen Miller and Mike Benz, and independent bloggers in the Twitter Files, suggesting widespread and systemic suppression of conservative viewpoints around issues including COVID-19, the 2020 election, and the Disinformation Governance Board the fail to withstand rigorous scrutiny. The analysis we present demonstrates that these actors' assertions lack substantial evidence, are unflinchingly partisan, and are designed to elicit fact-free rage from their consumers, all while generating hundreds of thousands of dollars in profit and millions in political funding for their creators. Independent, private-citizen researchers working on projects like the VP and EIP, public servants at the Disinformation Governance Board, GEC, and CDC have worked hard to combat the flow of false, misleading, and materially dangerous content online. Social media platforms' moderation decisions, while often controversial and imperfect, have been theirs and theirs alone, and – according to a wide body of research – have not been made with notable ideological bias. Furthermore, data suggests that content moderation decisions have been requested by, and been applied against, actors from across the political spectrum, contradicting the narrative of a targeted agenda against ‘alternative’ or far-right beliefs.

It is crucial to approach such claims with a critical eye, recognizing the complex and multifaceted nature of content moderation in the digital age, as well as the financial and political incentives that bad actors have to produce them. Put simply, the years-long brigade against disinformation researchers has been incredibly lucrative for those promoting it.

¹²⁹ Racket News, <https://web.archive.org/web/20240807204354/https://www.racket.news/>

¹³⁰ Public News, <https://web.archive.org/web/20240730180231/https://www.public.news/>

¹³¹ Jason Cohen, “‘60 Minutes’ Failed To Disclose ‘Misinformation’ Researcher Got Millions In Gov’t Grants, Donated To Biden.” *The Daily Caller*, March 25, 2024. <https://dailycaller.com/2024/03/25/60-minutes-failed-disclose-misinformation-researcher-millions-grants-donated-biden/>

¹³² House Subcommittee on the Weaponization of the Federal Government Interim Staff Report, May 1, 2024.

https://web.archive.org/web/20240726234642/https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/Censorship-Industrial-Complex-WH-Report_Appendix.pdf

¹³³ America First Legal, February 9, 2024.

<https://web.archive.org/web/20240624185028/https://afilegal.org/america-first-legal-files-brief-at-supreme-court-on-behalf-of-representative-jim-jordan-and-44-members-of-congress-about-the-federal-governments-unconstitutional-censorship-of-free-speech-on/>

This report underscores the importance of transparency and accountability from social media companies, while also highlighting the need for protecting, in a literal sense, academic and research freedom. The American people deserve to know how social media affects their speech and their lives.