

Congress of the United States  
U.S. House of Representatives  
Committee on Small Business  
2361 Rayburn House Office Building  
Washington, DC 20515-0515

May 16, 2023

Mr. James P. Rubin  
Special Envoy and Coordinator  
Global Engagement Center  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520

Dear Mr. Rubin:

The Committee on Small Business, Subcommittee on Oversight, Investigations, and Regulations (Committee) writes to further its investigation into government censorship and revenue interference of American small businesses by proxy. It is clear that the Global Engagement Center (GEC) funded third parties who acted to censor and interfere with the revenue of certain small businesses (and their owners) based on their lawful speech.<sup>1</sup> These third parties pressure advertising and social media companies to remove certain businesses' online advertisements, disallow ad placement on businesses' websites, remove online speech, and ban accounts entirely.<sup>2</sup> The federal government cannot circumvent constitutional protections by using private actors to accomplish what the State itself is prohibited from doing.<sup>3</sup>

Throughout the course of this Committee's investigation it has become clear the GEC has funded many entities, directly and indirectly, who interfere with the ability of American small businesses to compete online because of their speech—including over \$1.9 million to the Atlantic Council, and over \$215,000 to its Digital Forensics Research Lab (DFRLab) since FY 2018 alone.<sup>4</sup> In FY 2018 the GEC provided NewsGuard with a subaward of \$50,000 and the Global Disinformation Index (GDI) with a subaward of \$100,000; both companies' missions are to starve supposed purveyors of "disinformation" of revenue and put them out of business. Their work is focused mostly on American businesses. Further, in FY 2021, [Redacted Entity], whose subsidiary [Redacted Entity 2]'s product is "designed to starve disinformation purveyors of

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<sup>1</sup> Letter from Roger Williams, *et al.*, Chairman, H. Comm. on Small Bus., to James P. Rubin, Special Envoy and Coordinator, Global Engagement Center, U.S. Dep't of State (Jun. 7, 2023).

<sup>2</sup> Letter from Roger Williams, *et al.*, Chairman, H. Comm. on Small Bus., to James P. Rubin, Special Envoy and Coordinator, Global Engagement Center, U.S. Dep't of State (Jun. 7, 2023).

<sup>3</sup> *Norwood v. Harrison*, 413 U.S. 455, 465 (1973), "[t]he government "may not induce, encourage, or promote private persons to accomplish what it is constitutionally forbidden to accomplish."; *Biden v. Knight First Amendment Institute at Columbia Univ.*, 141 S. Ct. 1220, 1226 (2021), a private entity thus violates the First Amendment "if the government coerces or induces it to take action the government itself would not be permitted to do, such as censor expression of a lawful viewpoint." (Thomas, J., concurring).

<sup>4</sup> On file with the Committee.

money by building on GDI's pioneering methodology" received a subaward for \$536,015 and a direct award for approximately \$348,113 with a \$23,250 subaward directed to [Redacted Entity 2].<sup>5</sup> Further, in one funding application, [Redacted Entity 2] stated that "Russia is seeding disinformation amongst African audiences as a backdoor to influence African Americans and other constituencies in the U.S."<sup>6</sup> This provides insight into the GEC's funding activities that, on its face, appear to comply with GEC's strictly international mandate, but in fact have a tangible impact on Americans.<sup>7</sup>

During the Committee's April 4, 2024 briefing with GEC Grant Officer Representatives (GORs), they stated that before any GEC award is granted, programmatic and organizational due diligence is performed on each potential awardee to inspect financial, ownership, and other aspects of each entity.<sup>8</sup> The GORs claimed this due diligence is also performed for subawardees. This assurance did little to assuage our concerns as the evidence collected by the Committee thus far shows these so-called risk assessments and due diligence are insufficient to ensure Americans are not impacted by GEC's activity.

On May 2, 2024, the GEC made available for in-camera review the document titled "2023.02.14 GEC-GDI-BLACKLIST." After reviewing this document, it is clear it strikes at the heart of the investigation and the Committee again requests the production of an unredacted copy of this document. Further, the Committee, despite making the request more than four months ago, has not received the awards omitted from each of the GEC's productions. These relevant documents are essential for the Committee to evaluate the potential legislative solutions to ensure all American small businesses are able to compete online without interference from the federal government. As an accommodation, we write to reiterate and further scope the requests from our original letter dated June 6, 2023, and reiterated in the July 24, 2023, January 8, 2024, and February 16, 2024 letters as shown below. The Committee requests production of these requests as soon as possible but no later than May 30, 2024. If State fails to provide complete responses by May 30, 2024, the Committee will evaluate the use of compulsory process to obtain them.

1. Unredacted list of all GEC grant recipients and associated award numbers from FY 2018 – present, in addition to any other awards, project grants, or cooperative agreements that were omitted from the December 3, 2023 and March 28, 2023 partial productions.
2. Unredacted copies of all contracts and related documentation (including communications describing scope of work) for every GEC award, project grant, and cooperative agreement from FY 2018 – present, scoped below:

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<sup>5</sup> On file with the Committee.

<sup>6</sup> On file with the Committee.

<sup>7</sup> National Defense Authorization Act for Fiscal Year 2017, Pub. L. No. 114-328, §1287 (2016). "None of the funds authorized to be appropriated or otherwise made available . . . shall be used for purposes other than countering foreign propaganda and misinformation."

<sup>8</sup> Guidance for Federal Financial Assistance, 89 Fed. Reg. 30046 (Apr. 22, 2024) (codified at 2 C.F.R. §200.206) "[t]he Federal agency must consider all of the information in SAM.gov with regard to the applicant and any immediate highest-level owner, predecessor (meaning, an organization that is replaced by a successor), or subsidiary, identified for that applicant in SAM.gov."

- a. All funding applications, documentation concerning risk assessments (including GEC produced documents and the information reviewed on OMB-designated databases and the non-public segment of SAM.gov), resulting decisional documents, related communications, and contracts for awards and subawards for the following entities:
    - i. NewsGuard;
    - ii. Global Disinformation Index;
    - iii. [Redacted Entity] and its subsidiaries, including [Redacted Entity 2];
    - iv. Atlantic Council and its DFRLab;
    - v. Albany Associates International LTD;
    - vi. Center for European Policy Analysis;
    - vii. Center for Strategic and International Studies;
    - viii. Democracy Counsel of California;
    - ix. DT Institute;
    - x. [Redacted Entity 3];
    - xi. Institute for Strategic Dialogue;
    - xii. [Redacted Entity 4];
    - xiii. Moonshot CVE LTD;
    - xiv. Park Capital Investment Group, LLC; and
    - xv. Poynter Institute and its subsidiaries.
  - b. If the recommendation of including “impacts on local jobs and the community” was incorporated into a risk assessment, as reflected in 2 C.F.R. §200.206(b), include all related documents and communication.
3. A full, unredacted copy of GEC’s internal file named “2023.02.14 GEC-GDI-BLACKLIST.docx.”
- a. A list of the 366 programs featured on GEC’s DisinfoCloud platform, mentioned in the 2023.02.14 GEC-GDI-BLACKLIST.docx document.
  - b. Documents showing the planning for any successors to the DisinfoCloud platform, such as the Defeat Disinfo website which was planned to launch in January 2023.
  - c. A list of all programs featured on said successors to DisinfoCloud.

To schedule the delivery of your response or ask any related follow-up questions, please contact the Committee on Small Business Staff at (202) 225-5821. The Committee on Small Business has broad authority to investigate “problems of all types of small business” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Mr. James P. Rubin

May 16, 2024

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Sincerely,



Roger Williams

Chairman

Committee on Small Business



Beth Van Duyne

Chairman

Subcommittee on Oversight,  
Investigations, and Regulations

cc: The Honorable Nydia M. Velasquez, Ranking Member  
Committee on Small Business

The Honorable Kweisi Mfume, Ranking Member  
Subcommittee on Oversight, Investigations, and Regulations