

117TH CONGRESS }    HOUSE OF REPRESENTATIVES    {  
2d Session }

**RESOLUTION OF INQUIRY DIRECTING THE SECRETARY OF HOMELAND SECURITY TO PROVIDE CERTAIN DOCUMENTS IN HIS POSSESSION TO THE HOUSE OF REPRESENTATIVES RELATING TO THE DISINFORMATION GOVERNANCE BOARD**

SEPTEMBER 19, 2022.—Referred to the House Calendar and ordered to be printed

Mr. THOMPSON of Mississippi, from the Committee on Homeland Security, submitted the following

## ADVERSE REPORT

together with

MINORITY VIEWS

[To accompany H. Res. 1236]

The Committee on Homeland Security, to whom was referred the resolution (H. Res. 1236) of inquiry directing the Secretary of Homeland Security to provide certain documents in his possession to the House of Representatives relating to the Disinformation Governance Board, having considered the same, report unfavorably thereon without amendment and recommend that the resolution not be agreed to.

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## PURPOSE AND SUMMARY

H. Res. 1236 directs the Secretary of Homeland Security to provide certain documents in his possession to the House of Representatives relating to the Disinformation Governance Board.

#### BACKGROUND AND NEED FOR LEGISLATION

A resolution of inquiry is a simple resolution requesting the President, or directing the head of an executive department, to provide to the House specific information in the possession of the administration.

Clause 7 of rule XIII of the Rules of the House of Representatives provides that a motion to discharge the Committee to which the resolution was referred upon introduction is privileged in the House if the Committee has not reported the measure back to the House within 14 legislative days after its introduction.

The Committee notes that consideration of this resolution of inquiry is to comply with rule XIII. It does not affect the Committee's obligation or commitment to conduct oversight and require documentation from the administration on issues within the Committee's jurisdiction.

Representative Andy Biggs of Arizona introduced this resolution of inquiry on July 20, 2022. The need for such a resolution is obviated by information provided to the Committee in regular briefings through the course of the Committee's usual oversight of the Department.

The Committee has worked with the Department to obtain information requested in this resolution and the Department has furnished much of that information, including information on the Board's mission, authorities, staffing, funding, and activities. Moreover, the Disinformation Governance Board at the Department of Homeland Security was disbanded on August 24, 2022. Nevertheless, the Committee continues to do rigorous oversight over the Department's disinformation activities, including via a letter sent to Secretary Alejandro N. Mayorkas by Chairman Bennie G. Thompson and Cybersecurity, Infrastructure Protection, and Innovation Subcommittee Chairwoman Yvette D. Clarke requesting information about how DHS plans to implement recommendations from the Homeland Security Advisory Council related to its well-established disinformation mission.

#### HEARINGS

No hearings were used to develop H. Res. 1236 in the 117th Congress.

#### COMMITTEE CONSIDERATION

The Committee met on September 14, 2022, a quorum being present, to consider H. Res. 1236 and ordered the measure to be adversely reported to the House by a recorded vote of 19 ayes and 15 noes.

#### COMMITTEE VOTE

Clause 3(b) of rule XIII requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

1. A motion by Mr. Thompson of Mississippi to adversely report H. Res. 1236 was agreed to by a recorded vote of 19 ayes and 15 noes (Rollcall No. 35).

## Committee Record Vote No. 35

Thompson (MS) Motion to Adversely Report H. Res. 1236  
 Agreed to: 19 ayes and 15 noes

Majority Members	Vote	Minority Members	Vote
Ms. Jackson Lee .....	Aye	Mr. Katko .....	No
Mr. Langevin .....	Aye	Mr. McCaul .....	No
Mr. Payne .....	Aye	Mr. Higgins (LA) .....	.....
Mr. Correa .....	Aye	Mr. Guest .....	No
Ms. Slotkin .....	Aye	Mr. Bishop (NC) .....	No
Mr. Cleaver .....	Aye	Mr. Van Drew .....	No
Mr. Green (TX) .....	Aye	Mrs. Miller-Meeks .....	No
Ms. Clarke (NY) .....	Aye	Mrs. Harshbarger .....	No
Mr. Swalwell .....	Aye	Mr. Clyde .....	No
Ms. Titus .....	Aye	Mr. Gimenez .....	No
Mrs. Watson Coleman .....	Aye	Mr. LaTurner .....	No
Miss Rice (NY) .....	Aye	Mr. Meijer .....	No
Mrs. Demings .....	Aye	Mrs. Cammack .....	No
Ms. Barragán .....	Aye	Mr. Pfluger .....	No
Mr. Gottheimer .....	Aye	Mr. Garbarino .....	No
Mrs. Luria .....	Aye	Mrs. Flores .....	No
Mr. Malinowski .....	Aye		
Mr. Torres (NY) .....	Aye		
Mr. Thompson (MS), Chairman.	Aye		

## COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X, are incorporated in the descriptive portions of this report.

CONGRESSIONAL BUDGET OFFICE ESTIMATE, NEW BUDGET AUTHORITY,  
ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

The Committee finds the requirements of clause 3(c)(2) of rule XIII and section 308(a) of the Congressional Budget Act of 1974, and the requirements of clause 3(c)(3) of rule XIII and section 402 of the Congressional Budget Act of 1974, to be inapplicable to this resolution. Accordingly, the Committee did not request or receive a cost estimate from the Congressional Budget Office and makes no findings as to the budgetary impacts of this resolution or costs incurred to carry out the resolution.

## STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the objective of H. Res. 1236 is to direct the Secretary of Homeland Security to provide certain documents in his possession to the House of Representatives relating to the Disinformation Governance Board.

#### SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

The resolution directs the Secretary of Homeland Security to provide certain documents in his possession to the House of Representatives relating to the Disinformation Governance Board. In particular, H. Res. 1236 requests:

1. communications or coordination between the Department of Homeland Security and the Executive Office of the President regarding misinformation, disinformation, and mal-information or the Disinformation Governance Board;
2. the National Terrorism Advisory System Bulletin, dated February 7, 2022, 2:00 p.m. ET;
3. the Disinformation Governance Board, including its mission, authorities, staffing, funding, and activities; and
4. communications or coordination between the Disinformation Governance Board and social media companies regarding misinformation, disinformation, or mal-information.

#### MINORITY VIEWS

In May 2022, Secretary Mayorkas announced that the Department of Homeland Security (DHS) had established a “Disinformation Governance Board” without any notice or engagement with Congress.<sup>1</sup> DHS leadership asserted that the board was established to disseminate guidance to Department components on misinformation, disinformation, and mal-information that threatens the homeland. However, given the lack of transparency surrounding its establishment, Committee Republicans and many Americans were rightfully concerned that the board, headed by a known partisan, was a political entity empowered to dictate the Government’s definition of “truth” to the American people. Shortly after the board was unveiled, the non-partisan Homeland Security Advisory Council (or HSAC) recommended that the Secretary shut down this concerning initiative. On August 24, 2022, Secretary Mayorkas disbanded the board based on the recommendation of the HSAC.<sup>2</sup>

The establishment, and immediate failure, of the Disinformation Governance Board proves that—despite the increasing frequency of cyber-attacks against our critical infrastructure, a terrorist safe haven re-establishing in Afghanistan, and an out-of-control crisis at our southern border—the priorities of the Biden administration are grossly misplaced. Committee Republicans strongly urge DHS to focus on its core mission, which it has struggled to do in the Biden administration.

JOHN KATKO.




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<sup>1</sup> “Fact Sheet: DHS Internal Working Group Protects Free Speech and Other Fundamental Rights When Addressing Disinformation That Threatens the Security of the United States,” Department of Homeland Security, (May 2, 2022), available at <https://www.dhs.gov/news/2022/05/02/fact-sheet-dhs-internal-working-group-protects-free-speech-other-fundamental-rights>.

<sup>2</sup> “Following HSAC Recommendation, DHS terminates Disinformation Governance Board,” Department of Homeland Security, (Aug. 24, 2022), available at <https://www.dhs.gov/news/2022/08/24/following-hsac-recommendation-dhs-terminates-disinformation-governance-board>.