

Statement of
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for THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON SMALL BUSINESS

Concerning

**“Under the Microscope: Examining the Censorship-Industrial Complex
and its Impact on American Small Businesses”**

June 26, 2024

Chairman Williams and Ranking Member Velazquez, I appreciate the opportunity to submit a written statement to be entered into the Congressional Record on the topic of your hearing “Examining the Censorship-Industrial Complex and its Impact on American Small Businesses.”

I believe it is my patriotic duty as an American to do so, because the premise of this hearing is a fiction that has had profound personal and financial impacts on my life. More alarmingly, claims of the existence of a so-called “censorship industrial complex” are deliberately engineered to suppress speech and stymie critical work that protects our national security in an important election year.

The So-Called “Censorship Industrial Complex” Does Not Exist

In 2022, on the basis of my years of scholarship and analysis, including four testimonies before Congress at the request of both Republicans and Democrats, I was appointed to lead the Disinformation Governance Board, an admittedly poorly-named but anodyne coordination body tasked with shepherding counter-disinformation policy within the Department of Homeland Security. In large part, this body was created to “develop and support the implementation of governance policies and protocols that, among other issues, protect privacy, civil rights, and civil liberties,” coordinate DHS’s work on disinformation that affected the homeland with other USG agencies, and set standards for the Department’s interactions with the “private, non-profit, and academic sectors.”¹

Within hours of the Board’s public launch, influencers and Members of Congress were calling it a “Ministry of Truth” and claimed that I would be censoring Americans’ speech. They did this entirely without evidence; even when DHS corrected the record, politicians, pundits, major media organizations, and influencers continued to repeat this lie because it was politically useful to them. The Board had no operational authority, no budget (though multiple Members of Congress laughably attempted to defund it after it was publicly announced), and no full-time staff other than myself. As I told House Judiciary’s Weaponization Subcommittee several times throughout my deposition about the Board’s activities in 2023: if censorship were part of my mandate, not only would I not have taken the job, I would have loudly condemned such activities.

The allegation that the Board was a censorship body and I was chief censor were the first chapter in many of the tall tales about the so-called “censorship industrial complex” that have since emerged. These tales have been primarily buoyed by the “Twitter Files,” a bizarre pseudo-journalistic arrangement between Twitter CEO Elon Musk and a small group of hand-picked journalists who have access to select documents that Mr. Musk allows them or wants them to see. Bloggers Matt Taibbi and Michael Shellenberger were among those who published the first installment of the Twitter Files, alleging that Twitter executives were complicit in acts of censorship against disfavored content.² Taibbi and Shellenberger alleged that the content in question was funneled to federal agencies by private-citizen researchers, specifically via the Election Integrity Project (EIP) and Virality Project, and that these

¹ DHS Disinformation Governance Board Charter, as provided to Senators Hawley and Grassley by DHS Whistleblower, February 28, 2022.

[https://www.hawley.senate.gov/wp-content/uploads/files/2022-06/2022-06-07%20DOCS%20ONLY%20CEG%20JH%20to%20DHS%20\(Disinformation%20Governance%20Board\)\[1\].pdf#page=9](https://www.hawley.senate.gov/wp-content/uploads/files/2022-06/2022-06-07%20DOCS%20ONLY%20CEG%20JH%20to%20DHS%20(Disinformation%20Governance%20Board)[1].pdf#page=9)

² Matt Taibbi, “Capsule Summaries of all Twitter Files Threads to Date, With Links and a Glossary.” *Racket News*, January 4, 2023. <https://www.racket.news/p/capsule-summaries-of-all-twitter>

agencies coerced Twitter into removing the content. Yet these allegations against Twitter and other social media platforms were not true. Numerous studies, conducted by institutions including New York University and Indiana University, empirically disprove this notion of political bias by social media platforms in their content moderation decisions.^{3,4} Following the first release of the Twitter Files, the Republican majority began organizing hearings around these false narratives and sending letters and document requests to Twitter in regards to censorship activities.^{5,6}

The Twitter Files crafted almost endless fiction based on selectively edited email and text excerpts between the researchers, their projects, platforms, and federal agencies. The blogs are riddled with errors and outright falsehoods, including the notion that the EIP “censored” 22 million tweets about the 2020 election.⁷ 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 Twitter’s terms of use. Even fewer of these posts were *actually* removed. Twitter took *no action* on nearly two-thirds of those 2,890 tweets.⁸

Additionally, alongside the Twitter Files’ bloggers relentless promotion of the baseless, debunked conspiracy theory that the Disinformation Governance Board was part of the “Censorship Industrial Complex,” and “guilty of violating the First Amendment,”⁹ Taibbi claimed that the EIP was created in 2020 to “fill the gaps” left by the shutdown of the Disinformation Governance Board; however, the Board was created in 2022.¹⁰ They have also aggressively targeted me in my personal capacity with incendiary lies, claiming that I “created elaborate, secret bureaucracies to censor at a mass level”¹¹ and was involved in an “effort to take over Twitter’s content management system.”¹²

These falsehoods are just a few of many in the Twitter Files. Even beyond these inaccuracies, the allegation that the Twitter Files make—that by conducting independent research and sharing it, researchers are somehow committing acts of censorship—is outlandish and harmful. Researchers have a First Amendment right to conduct their analysis and speak about it to the public, including to platforms and government. Social media platforms, as private businesses, have terms of service that they can implement how they choose. The government, for decades, has benefitted from an exchange of information between itself, academia, civil society, and the private sector. We know the Trump Administration also benefitted from such relationships and exchanges. The only reason the fictional

³ Paul Barrett & J. Grant Sims, “False Accusation: The Unfounded Claim that Social Media Companies Censor Conservatives.” *New York University*, February 10, 2021.

[stern.nyu.edu/experience-stern/faculty-research/false-accusation-unfounded-claim-social-media-companies-censor-conservatives](https://www.stern.nyu.edu/experience-stern/faculty-research/false-accusation-unfounded-claim-social-media-companies-censor-conservatives)

⁴ Filippo Menczner, et al., “Neutral bots probe political bias on social media.” *Nature Communications* 12, no. 5580 (September 2021)1. <https://www.nature.com/articles/s41467-021-25738-6>

⁵ House Judiciary Committee Letter to Yoel Roth, December 6, 2022.

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

⁶ House Judiciary Committee News Feature, December 23, 2022.

<https://judiciary.house.gov/media/in-the-news/house-gop-wants-fbis-twitter-censorship-reimbursement-records>

⁷ Mike Masnick, “Mehdi Hasan Dismantles The Entire Foundation Of The Twitter Files As Matt Taibbi Stumbles To Defend It.” *TechDirt*, April 7, 2023. <https://tinyurl.com/2p5ppt38>

⁸ Stanford Internet Observatory, “Background on the SIO’s Projects on Social Media.” March 17, 2023.

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

⁹ <https://x.com/shellenberger/status/1639355989836308481>

¹⁰ Masnick 2023.

¹¹ Freddie Sayers & Michael Shellenberger, “How to destroy the censorship complex.” *UnHerd*, May 9, 2024.

<https://www.youtube.com/watch?v=PhpeV5rCy1w&t=2187s>

¹² <https://x.com/shellenberger/status/1793666016704356735>

narrative of the “censorship industrial complex” is being selectively applied to some groups, researchers, and government agencies within the Biden Administration is because it is politically—and, in some cases, financially—beneficial to those who peddle it.

Those Who Peddle the “Censorship Industrial Complex” Myth Are Profiting Handsomely

Taibbi and Shellenberger’s Substack blogs, *Racket News* and *Public*, are known to have tens of thousands of readers and stand among the most-subscribed-to blogs on the platform.¹³ Substack estimates that around 5-10% of newsletter subscribers convert to paying subscriptions, “with 10% being a rate to aim for.”¹⁴ Priced respectively at \$5 and \$9.99, per subscription, per month—even assuming minimal conversion rates—Taibbi and Shellenberger’s blogs generate hundreds of thousands of dollars in revenue per year.¹⁵ With the paywall systems the blogs operate with regard to content around the so-called “censorship industrial complex,” every subscription, click, and share of their posts is—for Taibbi and Shellenberger—a profitmaker.

Going beyond Substack, however, there is also an incredibly lucrative part of the ‘nonprofit’ sector which operates around unfounded allegations of censorship. For example, the stated mission of America First Legal (AFL), a 501c(3) organization founded by former White House advisor Stephen Miller, is to “[Fight] back against lawless executive actions and the Radical Left.”¹⁶ AFL has filed dozens of frivolous, partisan legal complaints against tech platforms, government agencies, and independent, private-citizen disinformation researchers. It is plain to see that in filing these complaints AFL has worked *in collaboration* with the Weaponization Subcommittee, raising ethical questions about the goals of AFL as a nonprofit organization.^{17,18} The Internal Revenue Code clearly prohibits 501c(3) nonprofit organizations from engaging in politically-motivated activities, yet AFL has raked in tens of millions of dollars in charitable contributions over the past three years from wealthy donors, touting its censorship-related litigation as a result.¹⁹

The “Censorship Industrial Complex” Myth Has Had Profound Personal and Financial Impacts on the Individuals and Institutions It Targets

While peddling lies about the existence of a “censorship industrial complex” is profitable for some, those who have been targeted by these lies face extreme personal and financial challenges. Due to the lies about me, my work, and my personal life, including the accusations levied in the Twitter Files as recently as

¹³ Bron Maher, “Revealed: Top 27 highest-earning Substack newsletters generate over \$22m a year.” *PressGazette*, February 9, 2023. <https://pressgazette.co.uk/newsletters/highest-earning-substacks/>

¹⁴ “A guide to paid subscriptions,” Substack, Accessed June 23, 2024. <https://substack.com/going-paid-guide>

¹⁵ Maher 2023.

¹⁶ “The Mission,” America First Legal, Accessed June 23, 2024. <https://aflegal.org/>

¹⁷ “America First Legal Files Ethics and IG Complaints and Opens an Investigation of the FTC’s Retaliatory Targeting of Elon Musk and Twitter for Exposing Deep State Censorship,” 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-twitter-for-exposing-deep-state-censorship/>

¹⁸ 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>

¹⁹ 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/>

May 2024, I have received scores of death threats. While I was still a DHS employee, I was forced to contract a private security consultant due to credible threats against me and my family while I was pregnant with my first child. I resigned on May 18, 2022, but for the past 25 months—the entirety of my son’s short life—my family has continued to face a constant stream of hate. I have been depicted in deep fake pornography that has been viewed thousands of times. My child has been threatened. How does a private citizen contend with such an onslaught, and how much is that worth to this Committee? Will the Majority be holding a hearing to examine the economic impacts of the lies spread by those who allege the existence of the so-called censorship industrial complex?

A *partial* accounting of the out-of-pocket expenses I have faced as a result of these lies amounts to about \$85,000. This includes retaining legal representation: for my deposition before the Weaponization Subcommittee; for frivolous civil litigation in which plaintiff falsely alleged I conspired to censor him; and to secure a protective order against cyberstalker who threatened me, my husband, and my child; as well as security costs I will bear for the rest of my life. Many of these services were rendered at a negotiated “low bono” rate.

I can quantify these expenses in dollars and cents; what is harder to quantify in those terms is the economic and personal impact of the many hours I have lost preparing for depositions and legal proceedings, responding to bogus claims, tracking threats against me and my family, and more broadly worrying about my family’s safety and security. Similarly, it is difficult to quantify the many opportunities I have lost, or the fact that I can no longer publicize most of my speaking engagements for fear that they may attract those who wish me harm. This, of course, is part of the aim of those who run discrediting campaigns: to keep targets buried in legal battles and threats in order to prevent us from continuing to speak out and do our work.

Most institutions are no better prepared than individual researchers to respond to these campaigns. Even formidable universities with large endowments have decided to end work under the strain of similar pressure; following years’ worth of litigation brought by the likes of AFL, the Stanford Internet Observatory (SIO)—one of the preeminent academic institutions studying online harms, including disinformation—announced its closure on June 13, 2024.²⁰ Its researchers have been subject to a ruthless barrage of lies and threats, had their likenesses used maliciously, have been subject to onerous document requests and interviews/depositions by the Weaponization Subcommittee, and have had to repeatedly defend themselves against said lawsuits courtesy of AFL. Despite a \$36.5B endowment, two years of litigation and online abuse proved too costly for Stanford to justify keeping the SIO open, both in raw terms and in terms of staff hours spent defending its research.²¹

The “Censorship Industrial Complex” Myth Is Itself Causing Suppression of Speech

Academic freedom and scholarly discourse are a vital part of our democracy. However, the academic research community has been significantly impacted by allegations they are part of the so-called “censorship industrial complex.” From conversations with individuals throughout the research and

²⁰ 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/>

²¹ Joseph Menn, “Stanford’s top disinformation research group collapses under pressure.” *The Washington Post*, June 14, 2024. <https://www.washingtonpost.com/technology/2024/06/14/stanford-internet-observatory-disinformation-research-lawsuits-politics/>

philanthropic communities, I know that researchers are weighing whether their continued work in this sphere is worth the risk to their families and livelihoods, and that funding for this work is dwindling. Given the absence of oversight and transparency regulations due to Congress's continued dereliction of duty in this area, such academic research is more critical than ever for the country and the world's understanding of how information travels and is consumed in the digital age.

Members of Congress have used government resources to attack these researchers, deliberately misconstruing their work. The Weaponization Subcommittee has selectively released their Congressional testimony to discredit them, make them targets for harassment, and create a chilling effect across the field of disinformation research. These tactics echo the dark days of McCarthyism, but with a chilling 21st century twist: even as America faces unprecedented threats in the information space, both from our adversaries' increasing capabilities and from the exponential growth of emerging technologies, committees including this one waste valuable time and taxpayer dollars targeting American citizens who are trying to strengthen our democracy. These actions represent a dangerous distraction from the real threats we are facing.

The “Censorship Industrial Complex” Myth is Making America Less Safe, and Disinformation is Making Us Less Prosperous

This committee has now targeted the Global Engagement Center (GEC), a State Department office created through a bipartisan Congressional directive, as part of this broader distraction campaign. The GEC's sole mission is to “recognize, understand, expose, and counter foreign state and non-state propaganda and disinformation efforts.”²² In recent years, in particular since Russia's full-scale invasion of Ukraine, the GEC has provided important information to the public on the narratives, tools, tactics, and procedures utilized in Russian, Chinese, and other foreign malign influence operations. The GEC's work is a strong indication to our adversaries that their actions are being monitored and will be publicly undermined. But when the GEC and other government bodies tasked with countering foreign interference are maligned in politically-motivated attacks, the signal to our adversaries is that America is divided and weak. Moscow and Beijing interpret partisan attacks on counter-disinformation work as a sign that their interference is likely to succeed.

Meanwhile, this committee ignores the larger threats that disinformation poses to small businesses. According to a 2021 report by the World Economic Forum, the direct influence of fake online reviews on global online spending is \$152 billion.²³ An extra star on a restaurant's Yelp rating can increase revenue by 5% to 9%.²⁴ Purveyors of disinformation use such reviews to influence audiences. *These* are problems worth the time of this Committee, and of Congress more broadly; Americans would be better served by their elected officials concentrating on them instead of falsehoods created and amplified for political and monetary gain.

²² “About Us – Global Engagement Center,” U.S. Department of State, Accessed June 23, 2024. <https://www.state.gov/about-us-global-engagement-center-2/>

²³ Jonathan Marciano, “Fake online reviews cost \$152 billion a year. Here's how e-commerce sites can stop them,” World Economic Forum, August 10, 2021.

²⁴ Michael Luca and Georgios Zervas. "Fake It Till You Make It: Reputation, Competition, and Yelp Review Fraud." *Management Science* 62, no. 12 (December 2016).