

WILLIAM J. OLSON, P.C.

ATTORNEYS AT LAW

370 MAPLE AVENUE WEST, SUITE 4

VIENNA, VIRGINIA 22180-5615

TELEPHONE (703) 356-5070

FAX (703) 356-5085

E-MAIL: wjo@mindspring.com

<http://www.lawandfreedom.com>

WILLIAM J. OLSON
(VA, D.C.)

ROBERT J. OLSON
(VA, D.C.)

JEREMIAH L. MORGAN
(D.C., CA ONLY)

HERBERT W. TITUS
(1937-2021)

114 CREEKSIDE LANE
WINCHESTER, VA 22602-2429
TELEPHONE (540) 450-8777
FAX (540) 450-8771

May 5, 2022
via DHS Portal

Privacy Office, Mail Stop 0655
Department of Homeland Security
2707 Martin Luther King Jr. AVE SE
Washington, DC 20528-065
Phone: 202-343-1743 or 866-431-0486 | Fax: 202-343-4011

Re: FREEDOM OF INFORMATION ACT (FOIA) REQUEST
of Gun Owners of America and Gun Owners Foundation regarding
“Disinformation Governance Board.”

Dear Sirs:

We represent Gun Owners of America (“GOA”) and Gun Owners Foundation (“GOF”), and submit this Freedom of Information Act (“FOIA”) request on their behalf to the Department of Homeland Security (“DHS”).

GOA is a California not-for-profit corporation organized and operating as a nonprofit social welfare organization exempt from federal income tax under section 501(c)(4) of the Internal Revenue Code. GOA’s tax-exempt mission and purposes include educating the public and conducting activities in defense of the Second Amendment and the right to keep and bear arms. (For further information on GOA, please see <https://gunowners.org>.) GOF is a Virginia non-stock corporation, organized and operated as a non-profit legal defense and educational foundation that is exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code. GOF is supported by gun owners across the country. (For further information on GOF, please see <https://www.gunowners.com/>.) Both organizations have offices located at 8001 Forbes Place, Suite 202, Springfield, Virginia 22151.

Background

Recently, DHS Secretary Alejandro Mayorkas discussed the creation of a “Disinformation Governance Board” within the Department of Homeland Security.¹ Because of

¹<https://www.washingtonpost.com/politics/2022/04/29/disinformation-governance-board-dhs/> (“But there remain few details on what the board will actually do. DHS hasn’t issued many

the all-too-obvious comparisons between a “Disinformation Governance Board” and a “Ministry of Truth” ripped from the pages of George Orwell’s dystopian novel 1984 (which was not intended to be a “how to” instruction manual for the federal government), GOA and GOF seek records regarding this new governmental institution.

Ironically, the so-called “executive director” of this new government entity has claimed that “one of the key reasons the Board was established, is to maintain the Dept’s commitment [sic] to protecting free speech, privacy, civil rights, & civil liberties.”² In other words, Americans are supposed to believe that a new government entity, created with the purpose to screen and approve or disapprove of free speech in the public square, somehow represents a protection of rights that exist to protect people from the government.

On the contrary, GOA and GOF, which exist to protect and preserve constitutional rights, operate on the historically-proven principle that “if the government tells you that you don’t need a gun, then you need a gun.” The same principle applies when a government acts to limit First Amendment freedoms in the name of protecting them — it means that those liberties are in grave danger. As Ronald Reagan famously said, “[t]he nine most terrifying words in the English language are, ‘I’m from the government, and I’m here to help.’”

Record Request

GOA and GOF seek the following records:

- (a) records regarding the creation of the Disinformation Governance Board (“Board”), including emails from and/or to anyone involved with the Board;
- (b) records identifying those who have been or will be chosen sit on the Board, including records reflecting the selection of Nina Jankowicz as the Board’s Executive Director;
- (c) records stating the job descriptions of those positions established to serve on the Board and its staff;
- (d) records reflecting the process(es) used to select members of the Board and its staff, and the qualifications of each;
- (e) records describing the type of information which will be analyzed by the Board and its staff, and how it will be collected;
- (f) records revealing the methods, rules, procedures, or limitations on how the Board will surveil the American people to identify, analyze and classify purported “disinformation” or false information;
- (g) records describing how any purported “disinformation” will be corrected, limited,

specifics — including whether and how much it might monitor disinformation from ‘our own citizens’ and whether what it would do would amount to ‘policing.’”).

² <https://twitter.com/wiczipedia/status/1519282822158110721>.

- refuted, or removed, and its purveyors sanctioned, intimidated, punished, fact-checked, or otherwise policed by the Board;
- (h) records explaining how free speech, privacy, civil rights and civil liberties will be protected by the creation or operation of the Board;
 - (i) any historical, legal, or other records which have been consulted by the Board as to the status of freedom after government officials declare themselves to be arbiters of Truth and seek to suppress alleged “false” or “untrue” (usually politically unpopular) viewpoints;
 - (j) records reflecting communications between DHS personnel and each of the following about the creation and operation of the Board and its staff:
 - (i) Democratic National Committee;
 - (ii) Marc Elias;
 - (iii) Eric Holder;
 - (iv) Hillary Rodham;
 - (v) Barack Obama;
 - (vi) Twitter;
 - (vii) Facebook, including Mark Zuckerberg;
 - (viii) Google;
 - (ix) the National Security Agency; and
 - (x) CNN, MSNBC including Rachel Maddow, and Fox TV; and
 - (xi) Alexandria Ocasio-Cortez.
 - (k) any discussions about or analysis of DHS’s legal authority to create a Ministry of Truth (a “Disinformation Governance Board”), including any formal or informal opinion received from the U.S. Department of Justice about the constitutionality or legality of the Board;
 - (l) records reflecting whether the Elon Musk’s offer or attempt to purchase Twitter was considered in establishing the Board;
 - (m) records reflecting how the promise by Secretary Mayorkas that the Board “takes best practices to make sure that, in addressing disinformation that presents a threat to the homeland, our work does not infringe on free speech, does not infringe on civil rights, civil liberties,”³ will be met, and whether these best practices involve lessons learned from George Orwell’s book 1984, the experience of the East German Stasi, or similar efforts by other authoritarian governments.

Please limit the scope of your searches from May 1, 2021 through the date you begin to process this request. If any of the information sought above is publicly available, please provide us with the location(s) of that information.

Please email the documents to wjo@mindspring.com, or mail them to the following address:

³ <https://www.yahoo.com/video/mayorkas-admits-could-done-better-151138884.html>

Robert J. Olson, Esquire
William J. Olson, P.C.
370 Maple Ave W., Suite 4
Vienna, VA 22180-5615

Fee Waiver Request

We request that the search, review, and copying fees be waived as provided under section 5 U.S.C. § 552(a)(4)(A) and 28 CFR 16.10(k). GOA and GOF are nonprofit organizations seeking the requested documents to educate the public on a matter of great public importance, by releasing information that — in addition to contributing to public understanding on the workings of government — may have great effect on substantive policy discussions relating to the exercise of citizens' enumerated constitutional rights. GOA and GOF routinely publish the results of findings from documents they receive through FOIA requests, free-of-charge on their websites, in releases to members and supporters, and through dissemination of information to the news media.

The fees should be waived because release of the requested documents is in the public interest, and the requested information is likely to contribute significantly to public understanding of the operations or activities of the government. Additionally, the records sought by GOA and GOF are likely to contribute significantly to public understanding of the operations or activities of the government.

The release of the requested documents is not primarily for any commercial interest or purpose, including any commercial interest of GOA or GOF. GOA and GOF intend to disseminate to the general public, free of charge, any important information it obtains as a result of this request.

If our clients' waiver request is denied, we would appreciate an estimate of the costs involved in procuring any of the requested documents if such costs exceed \$250. If the costs do not exceed \$250, however, we do not need an estimate, and we will guarantee payment.

We request that the 20-day response time imposed by 5 U.S.C. § 552(a)(6)(A)(i) and 28 CFR 16.6(b) be adhered to strictly. We look forward to hearing from you within 20 business days.

Thank you for your prompt attention to this request.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Rob Olson".

Robert J. Olson

RJO:ls

cc: Gun Owners of America
Gun Owners Foundation