



**WHILE TAXPAYERS WERE SLEEPING:  
HOW THE STATE DEPARTMENT EXPORTS  
IDEOLOGY THROUGH FOREIGN ASSISTANCE**

A REPORT BY THE HOUSE FOREIGN AFFAIRS  
COMMITTEE MAJORITY STAFF

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## EXECUTIVE SUMMARY: IMPLEMENTING PARTNERS REPORT

*“No foreign policy, no matter how ingenious, has any chance of success if it is born in the minds of few and carried in the hearts of none.”*

– **Henry Kissinger**, former U.S. Secretary of State

*“Washington can use economic carrots and sticks alongside bilateral and multilateral diplomatic engagement. It can underwrite targeted political assistance programs, which bolster key democratic institutions and processes, including electoral management bodies and judicial systems. The United States cannot and should not expect to direct or control the democratic trajectory of other countries, but it can have a positive impact through smart engagement.”*

– **Thomas Carothers**, Carnegie Endowment for International Peace, Director of the Democracy, Conflict, and Governance Program

For decades, United States foreign assistance has been an important, and at times effective, extension of American influence and power on the global stage. Some of the aid sent by the United States government abroad shores up support for the American agenda, promotes democratic ideals, and reinforces critical security efforts. To those ends, the State Department, an entity responsible for administering a significant portion of U.S. foreign assistance, works with a wide swath of partners like nongovernmental organizations and international charities. These partners are entrusted with the American people’s money with the expectation that they conduct themselves and implement their programs in accordance with the U.S. Constitution, U.S. laws, and the values of integrity and transparency. Unfortunately, neither the State Department nor certain of its implementing partners have acted, of late, in accordance with those basic standards. This report outlines some of the most concerning and egregious recent examples of a State Department which routinely works with highly ideological, unaccountable groups to export an agenda that is largely hidden from public view but which, once exposed, is clearly a “values”-driven one for which broad domestic support is lacking.

In short, through its foreign aid, the Department is intentionally imposing views on other parts of the world that it should know that many – and perhaps even most – American taxpayers do not share.

**1 . *The Department Is Promoting Atheism (and Lying about It)*.** In violation of the Constitution’s Establishment Clause, the Office for International Religious Freedom (IRF) gave roughly half-a-million dollars to a UK-based, partisan humanist group to teach other humanist groups in Nepal how to proselytize and to expand atheist networks in the region. This grant promoted atheism and humanism over all other religions, contravening the purpose of international religious freedom programs and jeopardizing their bipartisan congressional support. Further, in response to congressional investigations into the grant, the Department deliberately tried to hide the grant’s focus on humanist recruitment, instructing the grantee to avoid using language that implicated humanist recruitment activities in official grant documents. As a result of this instruction, the grantee doctored materials it used in its grant programming before submitting them to the Department; the Department then produced these materials to Congress and misrepresented them to be the materials as used. The IRF grant promoting atheism abroad exemplifies the Department’s wanton approach to oversight of its implementing partners, disregard for congressional oversight, and willingness to use foreign assistance to push a partisan agenda.

**2 . *The Department is Facilitating Legal and Illegal Migration through the U.S. Southern Border*.** As a further example of the Department disregarding the widely-held views of U.S. domestic constituencies, the Bureau of Population, Refugees, and Migration (PRM), funded awards that gave cash and voucher assistance—that is, spending money—to migrants in northern Mexico, making their journey to and across America’s southern border easier. PRM also funded legal training sessions that coached migrants in Mexico on how to navigate the U.S. asylum system.

Finally, PRM funded an awardee that referred migrants to abortion providers; in doing so, PRM indirectly supported abortions for migrants. In each instance, PRM potentially ran afoul of U.S. laws, a matter which cannot be conclusively determined as a result of PRM's inability or unwillingness to be forthcoming in its provision of information to the Congress.

- 3. *The Department Doesn't Want Congress to Know what its Human Rights Money is Going Towards.*** In addition to its legal violations, the Department has coopted funding for the promotion of democracy and human rights to export a particularly partisan agenda. In just one of its series of annual grant awards, the Bureau of Democracy, Labor, and Human Rights (DRL) sent \$210 million to 169 implementing partners, of which the Committee, after repeated asks, received information on only 48 of them. Over the course of 10 months, DRL consistently obstructed congressional oversight into this funding, stonewalling and refusing to turn over information – information which at this point the Committee is concerned even the Department itself does not have. Several times, DRL exhibited serious mismanagement of its grantees, repeatedly renewing grants with implementing partners who had no impact to show for the taxpayer dollars they received, and only conducting the appropriate due diligence after a partner had been selected. Finally, in global arenas where the United States faces stiff competition from its geopolitical rivals, instead of strategically deploying its funding, DRL chose to send money to a gamut of partisan organizations with no clear connection to the advancement of American interests.
  
- 4. *The Department Is Subsidizing the Censorship and Demonetization of Conservative Viewpoints and News Outlets.*** The Department's prioritization of the export of a partisan agenda over the advancement of American interests abroad is further evidenced in the activities and implementing partners of the Global Engagement Center (GEC). The GEC claims its awards are focused on studying and countering only *foreign* disinformation.

However, the GEC routinely gave awards to organizations which, in their general courses of activities, suppress and censor American speech, especially conservative American speech, online and on social media; in doing so, the GEC indirectly supported domestic censorship. GEC awards supported technologies and research which, although the grantees did not apply them to this end, enabled the online censorship of Americans by other actors. At least one GEC award funded efforts to study 2020 election disinformation. At the end of the day, repeatedly, GEC has funded ineffective and wasteful awards which not only failed to advance, but actually detracted from the pursuit of American strategic interests abroad.

- 5. *The Department Attempted to “Target” Youth with Sexualized Programming.*** In an exceptionally illustrative example, the State Department co-opted bipartisan foreign assistance funding to award a \$20,600 grant to fund drag shows in Ecuador. The drag show program was meant to openly target children, teens, and young adults. Beyond the ludicrousness of using American taxpayer dollars to expose children to an activity that remains divisive within the United States, this program would have been counterproductive to American diplomacy in the region. The drag program would take place in Cuenca, a distinctly conservative city in Ecuador that was unlikely to appreciate the purpose of this grant. It is hard to fathom that those \$20,600 could not have been better spent countering growing CCP or Russian influence in the Western Hemisphere. Thankfully, the drag show grant was canceled due to congressional pushback, but there is no guarantee that the Department won't attempt to fund similar “youth events” in the future.

This report comes as a result of the House Foreign Affairs Committee Majority Staff's investigative efforts across the 117th and 118th Congresses. The Department's obstruction of such oversight has been a concerning recurrent theme across each of the investigations outlined.

To this day, the Department continues to obfuscate, stonewall, and avoid taking responsibility for evident misuse and mismanagement of the foreign assistance funding Congress appropriated. American taxpayers and the United States' strategic interests abroad are unquestionably worse off as a result of the State Department's poor stewardship of foreign assistance funding.

Admittedly, some may wonder if partisan programming is problematic, considering that Democrats control the White House and one chamber of Congress. Shouldn't Joe Biden, Chuck Schumer, and Antony Blinken be able to advance their progressive foreign policy agendas through foreign assistance? The answer, it seems to us, is *not when doing so tarnishes America's reputation abroad and alienates large swaths of the American public.*

In other words, other countries and U.S. taxpayers deserve a seat at the table. It's time for bureaucrats to give up some chairs.

## TABLE OF CONTENTS

<b>I.</b>	<b>The New Aid Agenda: Subversion of Traditional Foreign Assistance Through Politicized Grants &amp; Radical Implementing Partners .....</b>	<b>1</b>
<b>II.</b>	<b>A Grant Spreading Atheism Abroad: Twisting International Religious Freedom to Unconstitutional Ends.....</b>	<b>7</b>
<b>III.</b>	<b>The Department’s Contributions to the Border Crisis: Cash, Legal Assistance, and Abortions for Migrants.....</b>	<b>24</b>
<b>IV.</b>	<b>Operating in the Shadows: Grant Mismanagement at the Bureau of Democracy, Human Rights, and Labor (DRL).....</b>	<b>36</b>
<b>V.</b>	<b>The Global Engagement Center (GEC): Fighting Disinformation or Funding Censorship?.....</b>	<b>48</b>
<b>VI.</b>	<b>Drag Shows in Ecuador: State Department Use of Taxpayer Dollars to Fund Contentious Agendas instead of Consensus American Values.....</b>	<b>59</b>
<b>VII.</b>	<b>Conclusion.....</b>	<b>67</b>

# I. THE NEW AID AGENDA: SUBVERSION OF TRADITIONAL FOREIGN ASSISTANCE THROUGH POLITICIZED GRANTS & RADICAL IMPLEMENTING PARTNERS

Pursuant to congressional authorization, the State Department provides billions of dollars in grants and other financial awards to third parties as a means of conducting foreign policy. Historically, these awards have promoted objectives with universal appeal, and the awards have enjoyed longstanding bipartisan support. However, during the Biden-Harris Administration, the State Department has ignored the traditional bipartisan consensus in foreign grantmaking and has instead used taxpayer dollars to promote a radical agenda abroad. These practices – highly detrimental to American foreign policy and an improper use of taxpayer dollars – are cause for alarm.

As these awards transfer taxpayer funds to thousands of disparate entities and entrust them with executing critical facets of America’s global strategy, one would expect the Department to ensure that these programs promote policies, values, and objectives consistent the views of the majority of Americans and in line with timeless, widely held American values. It would also be reasonable to expect the Department to maintain meticulous and transparent records of all such programs, in particular because awards, as federal expenditures, are subject to congressional oversight. However, as this report will demonstrate, the Department has failed on both counts.

During the 118th Congress, the House Foreign Affairs Committee (“HFAC” or “Committee”) closely examined several grants awarded during the Biden-Harris Administration. Despite reviewing a small subset of Department awards, the Committee nonetheless identified numerous politically motivated grants to radical organizations, some of which fund activities which are arguably unconstitutional.



In addition, as if aware of this malfeasance, the Department has engaged in a consistent pattern of obfuscation and denial, repeatedly conveying false information to Congress, withholding key documents, and claiming that it lacked access to critical information. Reform of the Department's grant processes is needed; this report will serve as the starting point.

As a former Assistant Secretary of State for Democracy, Human Rights, and Labor has observed, "[n]on-public information about the specifics of both foreign assistance and domestic grant programs is difficult to obtain *within* the State Department, much less from [outside]." [1] In short, a small cadre of career State Department bureaucrats deploy billions of dollars in foreign grants and awards through an opaque process which, in recent years, has demonstrated a marked shift in priorities. Indeed, the State Department is now funding projects abroad in support of policies and values which are highly unsettled even domestically. Moreover, this cadre of Washington, DC-based bureaucrats at times advance this radical agenda over the objections of Department officials posted abroad with intimate knowledge of foreign assistance needs. This should concern every American.

This shift in priorities jeopardizes traditional bipartisan congressional support for Department awards and demonstrates the need to increase oversight and regulation of the State Department's grant processes. It also suggests that the Department presently operates in a manner antithetical to the interests of the American people, including fundamental Constitutional protections. In this regard, while this report exposes the Department of State's recent predilection for partisan grants and its fondness for radical implementing partners, these merely are illustrative of a broader trend. Other flagrant examples of this trend certainly remain undiscovered. It will be incumbent upon the 119th Congress to continue this line of inquiry and to ensure that State Department grants are rendered fully transparent and remain focused on core foreign policy objectives.

## ***Scope of the Report***

This report reviews a limited number of State Department foreign [2][3] and domestic[4] financial assistance programs,[5] primarily grants and cooperative agreements,[6] and the Department's implementing partners for these programs.[7] For each category, the report highlights: (1) the extent to which the awards themselves are radical, unconstitutional, or otherwise unlawful; and (2) the extent to which the awards' implementing partners engage, outside the context of the awards at issue, in partisan or other politically concerning behavior.

## ***Theoretical Foundations: Why Do Implementing Partners Matter?***

While this report analyzes information about the awards within its purview, each award's implementing partner serves as a focal point. An award's implementing partner is central to oversight of that award for several reasons. First, money is fungible. That is, when the Department funds an organization to carry out a project, the Department, in consequence, is supporting that organization as a whole. That is, "taxpayer funds which go to organizations [for a specific award] . . . [may] free up other financial resources for [different] work, thereby acting as a subsidy." [8] Moreover, "a foreign nongovernmental organization receiving U.S. . . . assistance funds could inappropriately use those funds" for purposes unrelated to the award at issue.[9]

Accordingly, even if the Department ensures that its awardees use public funds for strictly defined purposes, such funds nevertheless bolster the finances of the awardee and improve its reputation by associating it with the U.S. government. Awards thus serve, in one way or another, as publicly funded benefits to the implementing partners. It is important, therefore, that these organizations do not advance narrow or parochial interests, or otherwise promote the views of a particular political party or ideological agenda.

Second, a radical awardee often evinces an ideologically biased award. Indeed, rather than designing awards neutrally, the Department has recently “written [awards] to appeal to specific groups with specific ideological bents.”[10] Such awards “can generate outcomes incompatible with good diplomacy as the values and ideas inherent in the[m] can fundamentally be at odds with the local culture where they are intended to be implemented.”[11] Awards for which the Department selects radical implementing partners must therefore be subject to heightened oversight.

Third, pursuant to the Department’s award processes, “awardees essentially write their own Monitoring & Evaluation (M&E) requirements.”[12] In other words, an implementing partner determines the metrics through which the Department grades its success. This process is ripe for reform; nevertheless, as it stands, the credibility of an award’s implementing partner is crucial in determining whether the Department’s assessment of that award can be trusted.

Finally, implementing partners may engage in serious or criminal wrongdoing. This issue is accentuated in the foreign assistance context, where groups work with and wield power over vulnerable communities. For instance, employees of two African aid organizations sexually exploited and abused minors while those organizations received U.S. Agency for International Development (USAID) funding.[13] Vetting implementing partners is critical to ensuring that Department awards do not facilitate such activities.[14]

This report conducts its analyses of implementing partners with these and other concerns in mind.

## *Origins of the Report*

That the Department selects politicized implementing partners and obfuscates oversight are empirical observations from the Committee's oversight efforts during the 117th and 118th Congresses. Two early exchanges between the Department and the Committee highlighted the importance of closely reviewing the Department's grantmaking practices.

The first exchange concerns the Department's systematic funding of radical organizations. At the beginning of the 118th Congress, Committee staff learned that, notwithstanding longstanding bipartisan support in Congress for the Department's grants and awards, many of its selected implementing partners disparaged conservative principles and advocated for radical policies contrary to mainstream American values.[15] Recognizing that such activities could endanger congressional support for Department grantmaking, Committee staff asked the Department to caution its partners about this risk of partisanship.[16] The Department refused.[17] Upon further investigation, Committee staff discovered widespread Department funding of highly partisan or otherwise problematic entities, as this report will detail.

The second exchange concerns the Department's obstruction of congressional oversight. In June 2022, during the 117th Congress, then Ranking Member McCaul requested that the Department provide detailed grant documents and other information regarding a funding tranche that awarded \$210 million to 169 awardees.[18] The Department failed to respond for nearly 10 months.

After the start of the 118th Congress, the Department provided a small subset of the requested documents.[19] These documents covered less than half of the funding at issue and provided only cursory information.[20] Chairman McCaul noted these deficiencies and reiterated his request in June 2023.[21]

In January 2024 – that is, a full six months later – the Department again provided only cursory documents.[22] Committee staff reminded Department staff about the Committee’s need for more detailed information,[23] prompting the Department to provide – again starting several months later[24] – limited documents covering just 22 of the 169 grants. Notwithstanding that these grants are the subject of legitimate congressional oversight, the Department has continued to obfuscate the aim and impact of this funding. These exchanges represent trends which will resurface throughout this report.

### ***Sections of the Report***

This report proceeds in five parts. The first three sections examine grants funded by the Under Secretary for Civilian Security, Democracy and Human Rights (J).

Inside the J family of bureaus, a novel pattern of radical funding and consistent obfuscation of oversight is demonstrated through: (1) a review of the Office of International Religious Freedom’s (IRF) self-described “innovative” grant to expand atheist networks abroad in violation of the U.S Constitution’s Establishment Clause; (2) an examination the Bureau of Population, Refugees, and Migration’s (PRM) willful contribution to the crisis at the Southern Border by providing cash to migrants transiting through Mexico, legal advice and coaching to migrants in Mexico on how to circumvent U.S. asylum laws, and funding abortions for migrants; and (3) an overview of systemic issues with grant implementation and oversight at the Bureau of Democracy, Human Rights, and Labor (DRL).

The final two sections examine grants funded by the Under Secretary for Public Diplomacy and Public Affairs (R). Through a review of grants awarded by the State Department’s Global Engagement Center (GEC) and a grant funding drag shows in Ecuador, these sections highlight R’s deployment of taxpayer funds to radical organizations.

## II. A GRANT SPREADING ATHEISM ABROAD: TWISTING INTERNATIONAL RELIGIOUS FREEDOM TO UNCONSTITUTIONAL ENDS

The promotion of international religious freedom, a U.S. foreign policy goal for over two decades, means ensuring that “[e]veryone has the right . . . to change his religion or belief[] and freedom[] . . . to manifest his religion or belief in teaching, practice, worship, and observance.”[25] But apparently, to the Department, it means funding western NGOs to push atheism on the citizens of developing countries.

In one of the most appalling programs the Committee uncovered during the 118th Congress, the Department provided a UK-based, far-left humanist group (here, ‘humanist’ is shorthand for ‘atheist with ritualistic trappings’) almost half a million dollars to teach other humanist groups in Nepal how to proselytize and to expand atheist networks in the region. Moreover, despite clear and consistent evidence of this intent in the grant documents, the Department misrepresented the programming’s nature as benign “capacity building”[26] until presented with hard evidence to the contrary.

As this section will describe, the investigation has exposed exceptionally problematic conduct by the Biden-Harris State Department, including violations of the Establishment Clause of the U.S. Constitution. In particular:

- From the beginning of the grant process, the Department contemplated that the grant would support atheist proselytization and expansion of atheist networks. Indeed, the grant’s Notice of Funding Opportunity (“NOFO”) stipulated that awardees would “[i]ncrease[] capacity among members of [sic] atheist and heterodox individuals to form or join networks or organizations.”[27]
- The Department viewed this NOFO as “innovative” and was “very engaged in supporting this particular NOFO.”[28]

- Despite the NOFO’s problematic language, none of the Department staff interviewed as part of this investigation were aware of any First Amendment concerns expressed internally at the time the Department promulgated the NOFO.
- The sole grantee that the Department selected was a far-left humanist group with an organizational strategy centered on proselytization and spreading its ideology.
- The grantee’s proposed programming, which the Department approved, included training sessions intended “to help [humanist] organizations [in Nepal] to recruit new members and increase their membership scope and income” – that is, the grantee intended to use its funding to spread humanism in Nepal.[29]
- Through the Bureau of South and Central Asian Affairs (SCA), Embassy Kathmandu, the Department post on the ground in Nepal, objected to the selection of this grantee and its proposed programming. The Embassy thought such programming “seem[ed] tailored to the [grantee]’s objectives rather than to Nepal’s needs.”[30] Department staff steamrolled this objection with little explanation and, after a “frank conversation” with SCA, dictated that it intended to “move [the grantee’s proposal] forward.”[31]
- Early in the grant process, and about six months after the beginning of congressional investigations into the grant, the Department gave the grantee standing orders “to neutralize language in all [grant] materials that were submitted to the State Department” so that they did not contain “references to humanism, membership, and member.”[32] That is, while funding a grant which openly contemplated humanist proselytization, the Department attempted to hide this focus from Congress.

- The grantee did, in fact, use Department funds to host its proposed training sessions and instruct humanist groups on recruitment methods. Among other topics, the grantee taught humanist groups about membership growth and development, social media marketing, and how to recruit new members to their humanist organizations.
- As a result of the Department’s instructions that the grantee “neutralize language in all [grant] materials that were submitted to the State Department,”[33] the grantee doctored PowerPoint slides it used in these training sessions before submitting them to the Department. The Department then produced these doctored slides to the Committee and represented that they were the slides as presented.
- Throughout the investigation, the Department repeatedly and incorrectly insisted that the grant did not involve proselytization and recruitment activities.
- Throughout the investigation, the Department refused to timely produce critical documents and make important witnesses available to the Committee.
- After finally admitting that it was “deeply concerned with” the grantee’s conduct, the Department agreed to investigate the grantee as well as “refer[] this matter to the [Office of the Inspector General of the Department of State] for further action.”[34] “If the grantee [wa]s found to have misused federal grant funds,” the Department asserted that it “w[ould] pursue appropriate accountability measures” including “possible suspension and debarment.”[35] In the more than five months since it made these guarantees, the Department has failed to provide an update on its investigations or on any disciplinary measures taken.



- As a result of this exceptionally problematic grant, the Department violated the Constitution. The First Amendment’s Establishment Clause—the founders’ admonishment that “Congress shall make no law respecting an establishment of religion”[36]—means that the government “may not aid, foster, or promote one religion or religious theory against another . . . .”[37] Courts consider atheism and humanism as religions for Establishment Clause purposes.[38] Here, the Department promoted atheism and humanism over all other religions.[39]
- As a further result of this exceptionally problematic grant, the Department contravened the purpose of international religious freedom programs and thereby jeopardized their bipartisan congressional support.

Two additional principles animate this section. First, concerns with this grant do not stem from the fact, in isolation, that it serves atheists. Indeed, Congress has been clear that international religious freedom “is understood to protect theistic and non-theistic beliefs and the right not to profess or practice any religion” and that “the specific targeting of non-theists, humanists, and atheists because of their beliefs is” common under certain types of governments.[40] But this language represents congressional “findings” and does not constitute a standing mandate that international religious freedom programs support atheism.[41]

Second, and relatedly, scholars have long argued that religion fosters social stability.[42] Undermining that force of cohesion in the name of promoting partisan agendas may have serious and unpredictable foreign policy consequences. In this regard, while this section describes the grantee’s ideology, activities, and potential misconduct in detail, said concerns are directed solely towards the *Department’s* decision to sponsor the grantee. Analysis of the grantee is necessary to demonstrate the legally and politically egregious nature of the grant programming funded and approved by the Department.

## ***Factual History of the Atheism Grant and Subsequent Investigation***

### Description of the Grant’s Notice of Funding Opportunity

In April 2021, the Office of International Religious Freedom (IRF), a State Department office headed by Ambassador-at-Large Rashad Hussain,[43] released a \$500,000 NOFO in conjunction with DRL[44] entitled “Promoting and Defending Religious Freedom Inclusive of Atheist, Humanist, Non-Practicing and Non-Affiliated Individuals.”[45] The NOFO’s locus was “South/Central Asia . . . or the Middle East/North Africa.”[46]

The Committee supports protecting religious minorities abroad. However, the NOFO’s terms stated that grants stemming from the NOFO would be designed to “[i]ncrease[] capacity among members of [sic] atheist and heterodox individuals to form or join networks or organizations” and that “[p]rogram activities could include . . . [c]reating or strengthening networks of advocates for the diverse communities of atheist, humanist, non-practicing and non-affiliated individuals of all religious communities . . . .”[47] This language suggests that grantees would work to grow atheism or humanism, intimating potential Establishment Clause violations. The NOFO therefore drew the attention of conservative members of Congress in June 2022 and, beginning in February 2023, the Committee’s new majority.[48]

Rather than carefully considering the NOFO’s Establishment Clause implications, the Department ignored clear constitutional issues. Indeed, one day after the NOFO’s publication, a Department staff member described it in an email as a “pretty, innovative thing we did.”[49] Evidently, IRF leadership “support[ed] this particular NOFO” and facilitating it “was a priority.”[50]

The Department seems to have justified this focus, at least in part, on the misguided belief that Congress had “explicitly mandate[d] that J/IRF and the IRF Ambassador at Large . . . include ‘the specific targeting of non-theists, humanists, and atheists because of their beliefs’ in Department religious freedom advocacy.”[51]

However, this language is a congressional finding rather than a mandate,[52] and it certainly does not authorize the Department to support atheist proselytization. In any case, none of the IRF and DRL staff members the Committee interviewed as part of this investigation were aware of any Establishment Clause concerns expressed internally at the time the Department promulgated the NOFO.[53]

DRL and IRF disbursed only one grant under this NOFO: a \$446,700 award, called the Increasing Diversity, Equality, and Security in South Asia grant (IDEAS grant), to an organization named Humanists International, Inc. (HI).[54] Founded in 1952, HI is a New York 501(c)(3) not-for-profit which “campaign[s] on humanist issues” and claims to be “the global representative body at the heart of the humanist movement.”[55] In other words, HI comprises “more than 120” humanist organizations and advocates, organizes, and works on their behalf.[56] HI itself has only eleven staff members.[57]

While HI insists that “humanism is not a religion,” it also has adopted to pseudo-religious practices like “[h]umanist ceremonies a[s] a secular, non-religious way to celebrate the most important moments of the life of a person, for example: getting married, the birth of a baby, the passage from adolescence to adulthood, [and] the celebration of one’s life after passing away.”[58] HI also replaces theological doctrine with ideological doctrine, including a rejection “of supernatural or divine beliefs” and promotion of “LGBTI+ rights,” “gender equality and feminism,” and a “‘pro-choice’ stance” on abortion.[59] In short, humanism equates to a religion for progressive atheists. [60]

Like many religious organizations, HI has a marked focus on proselytization. For instance, HI’s 2023 annual report lists the organization’s first “key objective” as “[b]uilding a thriving global humanist network” and includes “build[ing] . . . the global humanist movement” as part of its mission.[61]

Similarly, three out of the four objectives of HI's most recent organizational strategy concern increasing the presence, influence, or membership of humanism.[62] The NOFO's problematic language assumes increased significance in the context of HI's focus on recruitment and the Department's selection of HI as its sole grantee.

### Description of the IDEAS Grant Programming

HI's grant programming involved a range of activities to train and support other humanist organizations.[63] The Department characterized these projects as "equip[ping] humanists and other ethical non-religious individuals and groups with the skills, knowledge, and tools to safely conduct their activities that promote tolerance, inclusion, and addressing [sic] pressing local concerns." [64]

Much like in the NOFO, this summary description of the IDEAS grant avoids any allusion to proselytization while, in contrast, the grant's more granular terms make recruitment a focal point. Relevant here, beginning February 13, 2023, HI conducted a five-day Department-funded training session for other humanist organizations in Kathmandu, Nepal.[65] The grant's Proposal Narrative contemplated this training and characterized it as intended to "introduce the staff of [HI's] member organizations (and other individuals and informal groups) to the fundamental membership notions (i.e. membership funnel, recruitment, retention, diversification, etc.)" and "to help our member organizations to recruit new members and increase their membership scope and income," among other objectives.[66] In other words, the Department *explicitly* funded programming to improve the recruitment methods of humanist organizations.[67]

The Bureau of South and Central Asian Affairs (SCA) and Embassy Kathmandu (Post) objected contemporaneously to this proposed programming and to the selection of HI as a grantee.[68] In Post's view, for instance, HI's "proposal seem[ed] tailored to the organization's objectives rather than to Nepal's needs." [69]

They reiterated their concerns throughout a two-week-long email chain with Department staff in which SCA made it “very clear” that Post “d[id] [n]ot . . . want [HI’s] proposal to move forward.”[70] Department staff steamrolled these objections and after a “frank conversation” with SCA dictated that IRF intended to “move [HI’s proposal] forward” notwithstanding Post’s concerns.[71]

HI did, in fact, conduct its proposed training on February 13, 2023 and February 14, 2023, which instructed members of humanist groups on growth, proselytization, and recruitment. On February 13, 2023, HI gave a PowerPoint presentation entitled “Membership Engagement Training.”[72] It titled subsections of this training as “Membership Growth and Development[:] Strategies for Recruitment and Retention,”[73] “Developing your Membership Program[:] The same strategy does not fill all,”[74] “Segmenting your market[:] Targeting your audience the right way,”[75] “Developing Your Membership Strategies,”[76] and “Membership Foundations[:] Creating a Powerful Value Proposition,”[77] among others.

As suggested by its name, the presentation encouraged participants to grow their humanist organizations and instructed them on recruitment methods. HI admonished participants that “[r]ecruitment and retention are essential elements to your organization’s ability to sustain itself”: “[i]f you do not recruit, it’s the same as your organization is dying” and suggested setting goals like “For the 2023 Calendar Year our objective is to reach 20,000 members . . .”[78] Participants learned strategies like “group[ing] [their] members and prospective members into [demographic] segments” to “prioritise resources” based on those segments and that, for instance, if a participant was a “[l]ow growth and high retention” organization it should “work on generating new sources of membership, managing [its] relationships with prospective new members, and improving [its] membership sales processes.”[79]

Likewise, on February 14, 2023, HI gave another PowerPoint presentation entitled “Communications and Campaigning training.”[80] Subsection titles included “What do people want?[:] Making your social media work well,”[81] “Branding[:] Finding your own identity,”[82] “Growing Your Organisation[:] And getting the message out,”[83] “Social Media[:] A marketing tool,”[84] and “5 strategies to increase giving with email marketing.”[85]

Here, HI told participants to use social media to “[f]ind new supporters” and “[g]row [their] movement[s]/organization[s].”[86] It urged them to adopt “a recognizable logo . . . to increase trust and donor acquisition.”[87] Perhaps most concerningly, it presented the concept of a recruitment “funnel” whereby participants could use “[s]ocial [m]edia,” “[c]ampaign [a]ctions,” and “[e]mail marketing” to obtain, in its example, 2,000 “paying mem[b]ers” from a population of 30.03 million.[88] An individual placed into this funnel, HI explained, would mentally transition from identifying as “non-religious,” to identifying as “a humanist,” to “support[ing]” and joining a humanist organization, to “giv[ing] a lot of time and money to” that organization.[89] These slides were, in other words, instruction on proselytization.

In sum, HI used Department funds to train its member organizations on growth strategies. Importantly, the content of HI’s trainings closely corresponds to the language describing the trainings in the grant’s proposal narrative.[90] HI told the Department what they were going to do, and they did it with Department sanction.[91]

### Description of the Department’s Denial, Obfuscation, and Misconduct

This information is the result of a year-and-a-half long investigation by the Committee involving multiple hearings, transcribed interviews, and subpoenas and requiring extensive contact with both the Department and HI. At every step of this process the Department has denied any wrongdoing and obfuscated, through various means, the true nature of the grant’s administration and programming and the Department’s intent behind the grant.

Most problematically, following the beginning of congressional investigations into the grant, the Department instructed HI “to neutralize [humanism-related and membership-related] language in all [grant] materials that were submitted to the State Department”[92]—that is, *in response to congressional investigations, the Department told HI to hide the grant’s focus on humanist recruitment*. This instruction resulted in the Department producing doctored versions of HI’s PowerPoint slides to the committee.

Indeed, in October 2022, HI hired a Program Manager who became its employee responsible for overseeing the grant and communicating with the Department.[93] In December 2022, six months after the first congressional investigation into the grant,[94] the Department gave the Program Manager standing orders “to neutralize language in all [grant] materials that were submitted to the State Department.”[95] Specifically, the program manager was not to include “references to humanism, membership, and member . . . in documents submitted to the State Department.”[96] The Department “repeatedly emphasized” these instructions.[97] Later that December, the Program Manager began to revise grant documents in accordance with this guidance.[98]

In August 2023, the Committee requested that the Department produce the PowerPoint slides from HI’s grant programming.[99] When the Department relayed this request to the Program Manager, she, in accordance with her orders “to neutralize language,” edited the slides to temper material related to proselytization and recruitment.[100] More specifically, she altered or removed much of the slides’ content highlighted above. For instance, she retitled the February 13th presentation from “Membership Engagement Training” to “[Civil Society Organization] Engagement Training”[101] and omitted the slides’ discussion of segmentation and growth strategies and goals.[102]

Similarly, while she kept the recruitment funnel slide in the February 14th presentation, she removed the accompanying slide demonstrating the funnel’s proselytizing effect.[103] The Program Manager made these doctored slides and delivered them to the Department in October 2023.[104]

In February 2024, the Department produced the doctored slides to the Committee, representing that they were the slides as delivered.[105] In March 2024, HI's legal counsel discovered that HI had edited the slides, and, in April 2024, HI provided the Department with "an opportunity to review" the unaltered slides.[106] The Department and HI both provided the Committee with the unaltered slides shortly after.[107]

This sequence of events indicates potentially egregious misconduct by the Department, namely, that in response to congressional investigations the Department tried to hide the grant's focus on humanist recruitment. In this regard, the Department took other measures to keep the committee of jurisdiction in the dark. For example, the Department has refused to permit Committee staff from speaking with the IRF and DRL program officers responsible for administering the grant, instead providing only senior decisionmakers for transcribed interviews and hearing testimony.[108] Further, the Department delayed for over a year before allowing Committee staff to speak with a senior decisionmaker actually involved with the grant; during that year, it instead offered officials for transcribed interviews who had little knowledge of the grant's specifics.[109]

During this process, Department officials answered over 140 times throughout our investigation that they did not know the answers to questions about the grant.[110] And, as per usual, the Department has withheld critical documents from the Committee, leading Chairman McCaul to subpoena Secretary Blinken. [111] This consistent reticence has severely impeded investigatory efforts.

Further, in the context of the doctored slides, and despite the concerning language about proselytization and recruitment already present in the NOFO and grant documents, the Department insisted throughout the investigation that the award "d[id] not promote atheism, humanism, or any non-belief." [112] Ambassador-at-Large Hussain stated to Committee staff in January 2024 that the grant's purpose was not to "promote humanism in the sense of trying to get more people to become humanists." [113]



Likewise, Daniel Nadel, Principal Deputy to the Ambassador at Large, stated to Committee staff in March 2024 that “there were no activities that were permitted, or that were conducted under this grant that involved humanists promoting atheism or humanism, . . . or, in fact, provided an opportunity for humanists to grow their organization, develop their membership, or anything of the sort.”[114] Most definitively, Deputy Secretary of State for Management and Resources Richard Verma testified before the Committee at a March 2024 hearing that: “I’ve looked at the grant. I’ve looked at the materials. [Promoting atheism is] not what the grant is for . . . . I have seen no evidence of any grant to promote atheism in Nepal . . . . I’ve looked at the materials that [HI] has used. It was about supporting civil society in Nepal . . . .”[115] In other words, the Department misrepresented the plain language of the NOFO and grant documents to craft a narrative that the grant solely concerned “capacity building assistance to atheist and humanist groups.”[116]

HI’s submission of the real PowerPoint slides negated this narrative and finally prompted the Department to admit, in late April 2024, it was “deeply concerned with this development.”[117] But the Department’s order that the Program Manager “neutralize language”[118] and its general reticence to provide information about the grant indicate that the Department was at best aware of, and at worst complicit in, the problematic aspects of HI’s programming at a far earlier date.

Indeed, the Department (1) recognized HI used concerning language regarding humanist values and recruitment in reference to the grant; (2) made an effort to hide that language from Congress, and; (3) nevertheless failed to remove the content corresponding to that language from HI’s grant programming. While the Department originally suggested that “nobody [at the Department] had any Establishment Clause issues” with the grant,[119] it later admitted that there were “moments in [the grant] process where Establishment Clause concerns were noted and articulated back to the grantee.”[120] One is thus left to wonder how, in a grant with noted Establishment Clause issues, the Department could so confidently contend the grant did not promote atheism or humanism, and why it was not candid about these issues to begin with.

Following its admission of “deep[] concern[]” regarding the grant, the Department agreed to investigate HI as well as “refer[] this matter to the [Office of the Inspector General of the Department of State] for further action.”[121] “If [HI] [wa]s found to have misused federal grant funds,” the Department promised, it “w[ould] pursue appropriate accountability measures” including “possible suspension and debarment[.]”[122] In the more than five months since, the Committee has received no updates on these investigations or any disciplinary measures taken.

Committee majority staff are continuing to inquire into the extent to which the Department knew that HI used federal funding to further the recruitment capabilities of humanist organizations and promote humanism in general.

### ***Legal and Political Issues Stemming from the IDEAS Grant***

#### The Department Violated the Establishment Clause

The First Amendment requires the separation of church and state.[123] One part of this doctrine is the Establishment Clause, the founders’ admonishment that “Congress shall make no law respecting an establishment of religion.”[124] In effect, the Establishment Clause means that the Government “may not aid, foster, or promote one religion or religious theory against another or even against the militant opposite”; it requires “governmental neutrality between religion and religion, and between religion and nonreligion.”[125]

It should be noted that the Supreme Court considers humanism a religion for Establishment clause purposes. In *Torcaso v. Watkins*, the Court stated that “[a]mong religions in this country which do not teach what would generally be considered a belief in the existence of God [is] . . . Secular Humanism . . .”[126] The Establishment Clause applied equally, it reasoned, to both “religions based on a belief in the existence of God as against those religions founded on different beliefs.”[127] Thus, the Department’s funding HI implicates the Establishment Clause.

That the Establishment Clause proscribes using public funds to foster the expansion of a religion is a core precept of Establishment Clause jurisprudence.[128] Courts determine whether conduct violates the Establishment Clause through “reference to historical practices and understandings”; that is, a determination of whether conduct is “permissible” or “impermissible” must “accor[d] with history and faithfully reflec[t] the understanding of the Founding Fathers.”[129]

In *Everson v. Board of Education*, a case which Justice Gorsuch has described as “the birth of modern Establishment Clause litigation,”[130] the Court noted that the Founders meant the religion provisions of the First Amendment to “ha[ve] the same objective and . . . provide the same protection against governmental intrusion on religious liberty as [a] Virginia statute” that stipulated “no man shall be compelled to . . . support any religious worship, place, or ministry whatsoever.”[131] Such protection, the statute contemplated, extended to attempts to “compel a man to furnish contributions of money for the propagation of opinions which he disbelieves.”[132]

Unsurprisingly, then, the *Everson* Court concluded on the basis of original intent that the government may not “aid one religion, aid all religions, or prefer one religion over another.”[133] The Court has since echoed this sentiment in stronger terms stating, for instance, that “[o]ur history vividly illustrates that one of the specific evils feared by those who drafted the Establishment Clause and fought for its adoption was that the taxing and spending power would be used to favor one religion over another or to support religion in general.”[134]

Here, the Department promulgated a grant program which afforded HI, and HI alone, the opportunity to teach humanist organizations in Nepal how to recruit new members.[135] Nearly \$500,000 in taxpayer dollars supported humanist and atheist proselytization.[136] This is, of course, textbook aid “to favor one religion over” all others and for “the propagation of opinions which [many] disbelieve[],” and therefore a violation of the Establishment Clause.[137]

But further legal analysis is unnecessary. The Department itself has tacitly acknowledged that the grant programming violated the Establishment Clause. In fact, the Director & Principal Deputy to the Ambassador-at-Large for International Religious Freedom, Dan Nadel, observed that:

[If] there were activities in this grant associated with building the membership of an organization and that were associated with supporting the activities of a particular belief community in advancing those beliefs[] . . . that would absolutely violate the [E]stablishment [C]lause. If the Department of State were actually funding an organization to promote or espouse a set of religious beliefs, there's no question in my mind that would violate the [E]stablishment [C]lause.[138]

This conclusion comports with the Department's own Establishment Clause training materials for grantees, which forbid grantees from, for instance, "proselytization" and "promot[ing], endors[ing], or favor[ing] religious beliefs over other religious beliefs." [139] And, in general, federal agencies understand the Establishment Clause to mean that "you cannot use any part of a direct Federal grant to fund . . . proselytization." [140]

In short, the Department's grant to HI was a flagrant violation of the Establishment Clause's clear and commonly understood proscriptions. Even if unintentional, this failure highlights one of the greatest dangers posed by the Department's systematic selection of partisan grantees: such grantees may prioritize their ideological passions and objectives over the rule of law by which the Department is bound.

## The Department Jeopardized Bipartisan Support for International Religious Freedom Programs

The Department's partisan co-opting of international religious freedom programs jeopardizes the longstanding bipartisan support for such funding. The International Religious Freedom Act of 1998 (IRFA), as amended by the Frank R. Wolf International Religious Freedom Act (Wolf Act), enshrines the U.S. government's commitment to furthering international religious freedom abroad.[141] This legislation, which enjoyed bipartisan support,[142] clarifies that "the policy of the United States" is "to promote, and to assist other governments in the promotion of, the fundamental right to freedom of religion." [143] To that end, it both created the IRF and instructed that the Ambassador-at-Large should "advance the right to freedom of religion abroad." [144] One means through which the Ambassador can accomplish this task is grantmaking: for instance, Congress earmarked the funds behind the Department's grant to HI specifically "for international religious freedom programs[.]" [145]

The problem, of course, is that the grant at issue is far from the type of program Congress contemplated when passing the IRFA. For instance, Representative Chris Smith, Chairman of the Subcommittee on Global Health, Global Human Rights and International Organizations, "leader in promoting the [IRFA]," [146] and author of the Wolf Act, [147] explained that using the "very, very small amount of money that's available for religious organizations around the world that are combating a state of hostility towards them . . . to promote the agenda of the humanist organization . . . [is] not what the IRFA was ever about in '98 or the most recent iteration of it." [148]

Indeed, in addition to the fact that Congress did not intend the IRFA to fund proselytization or recruitment, [149] the IRFA makes clear that it is particularly focused on preventing violations of religious freedom abroad. [150]

But although both the Department and the U.S. Commission on International Religious Freedom (USCIRF) have repeatedly investigated the state of religious freedom in Nepal in recent years and have, for instance, identified violations against Christians and Muslims, their reporting makes no mention of violations against humanists or atheists.[151] In other words, not only did the Department use money earmarked for international religious freedom programs to support the recruitment activities of a partisan and ideologically driven organization, but there were other, legitimately religious organizations in the same region that likely could have used the funds to combat persecution. It was those sorts of groups, and not HI, that Congress designed the IRFA to protect.

With the rise of suppressive and authoritarian regimes like China and Russia, protecting international religious freedom abroad is a critical human rights concern.[152] But while the IRFA and the Wolf Act did enjoy bipartisan support, even in recent years “the United States’ promotion of international religious freedom remains a contested area” in Congress.[153] By furthering ideological, unconstitutional, and seemingly anti-religious goals through their international religious freedom grantmaking—in other words, by turning the IRFA into a partisan weapon Congress never intended it to be—the Department risks fracturing this consensus. In doing so, it threatens to deprive vulnerable groups abroad of a key lifeline to escape persecution. And while we endeavor to avoid this result, it is, unfortunately, predictable. As James Madison derived from colonial “experience,” “a legal establishment of Religion,” even “with a toleration, is no security for public quiet & harmony, but rather a source itself of discord & animosity[.]” [154]

### ***Conclusion: IRF Oversight Recommendations for the 119th Congress***

This section has detailed the Department’s international religious freedom grant to HI, through which it taught humanist groups in Nepal how to proselytize and recruit new members. In doing so, the Department: violated the Establishment Clause; and jeopardized bipartisan support for international religious freedom programs.

Further, the Department obfuscated the investigation into the grant and provided the Committee with doctored grant materials.

During the 119th Congress, the Committee should pay close attention to new IRF grants to detect and, if possible, prevent any additional funding for religious or atheist/humanist proselytization or other unconstitutional religious activities abroad. Further, HFAC should recall two important investigative lessons highlighted by our inquiry into this grant: (1) materials produced by the Department may be doctored and therefore the Committee should, in important instances, seek additional copies of the materials from third parties; and (2) official grant documents and other grant materials will likely be a more accurate reflection of a grant's nature than the Department's written or verbal representations about that grant.

### **III. THE DEPARTMENT'S CONTRIBUTIONS TO THE BORDER CRISIS: CASH, LEGAL ASSISTANCE, AND ABORTIONS FOR MIGRANTS**

Under President Biden's Border Czar, Vice President Kamala Harris, "record numbers" of illegal aliens from South and Central America have entered the United States.[155] Indeed, around two million "[i]llegal [southern] border crossings" occurred in each of 2021, 2022, and 2023, with "[i]llegal crossings reach[ing] an all-time high of 2.2[ million] in 2022." [156] This surge dwarfs the Trump Administration's illegal immigration rates[157] and resulted in, for instance, an estimated 4.6 percent increase in the total number of persons living in America illegally between 2020 and 2022.[158]

Grantmaking in northern Mexico by the State Department’s Bureau of Population, Refugees, and Migration (PRM)[159] has contributed to this disaster. PRM, subordinate to the Under Secretary for Civilian Security, Democracy, and Human Rights and led until October 4, 2024, by Former Assistant Secretary of State Julieta Valls Noyes,[160] describes its “[m]ission” as “providing protection, easing suffering, and resolving the plight of persecuted and forcibly displaced people around the world.”[161] In practice, this has meant funding awards that assist migrants (who, indeed, originate not just in the Americas but anywhere in the world) enter the U.S. illegally or game the asylum system; and obtain abortions.

More specifically, as this section will describe:

- PRM funded awards that gave cash and voucher assistance—that is, spending money—to migrants in northern Mexico. Naturally, this assistance has facilitated northward migration, including illegal immigration into the U.S.
- PRM funded legal training sessions that coached migrants in Mexico on the U.S. asylum system. While such legal assistance in itself encouraged and enabled migrants to come to the U.S., the awardee also implicitly suggested how migrants can make frivolous asylum claims.
- PRM funded an awardee that referred migrants to abortion providers; in doing so, PRM indirectly supported abortions for migrants. Beyond serving as yet another example of the Department imposing its ideology abroad, such spending may have violated federal law.

The Committee’s investigation into these awards began over two years ago[162] and has since encompassed numerous letters,[163] hearings,[164] and transcribed interviews.[165] To date, the Department has provided only incomplete and outdated information. It also has failed to provide prompt and fulsome responses to the Committee’s inquiries. For example, the Department waited over five months to respond to one, limited set of questions.[166]



In addition, the Department also has demonstrated a lack of knowledge of basic information about its awardees and their programming, demonstrating an abject failure to effectively monitor how awardees spent U.S. taxpayer dollars.

### ***Description of PRM Border Programs***

From FY 2019 to FY 2022, PRM disbursed \$280,353,592 in awards to “international organization[s] and non-governmental organization[s] . . . [to] support and strengthen efforts by [Central American] partner countries to manage [northward] migration flows in a safe, orderly, humane, and regular manner.”[167] The Department claims this programming “support[ed] the integration of refugees and migrants into their host countries”[168]—that is, according to the Department, its awards facilitated Mexico and other Central American countries in absorbing migrants, not encouraging their onward migration to the United States.[169] Much of the Department’s spending had the opposite effect: facilitating migration to the U.S.

### **Providing Cash and Voucher Assistance (CVA) To Migrants**

Through two of its awardees, the International Organization for Migration (IOM) and the Office of the United Nations High Commissioner for Human Rights (UNHCR), PRM provided migrants in Mexico taxpayer dollars as discretionary spending money. In doing so, it incentivized and facilitated northward migration, including illegal immigration into the U.S.

Both IOM and UNHCR are UN-affiliated public international organizations[170] which seek to assist migrants and refugees. The U.S. and a number of allied countries established IOM in 1951 via international agreement.[171] In 2016, through a UN General Assembly (GA) resolution, IOM became a United Nations related organization.[172]

IOM's constitution provides that it "make[s] arrangements for the organized transfer of migrants, for whom existing facilities are inadequate or who would not otherwise be able to move without special assistance" and "provide[s] . . . migration services," among other functions.[173] Similarly, the UN established UNHCR via a 1949 GA resolution[174] and, in 1950, provided that its functions included "[a]ssisting governmental and private efforts to promote [refugee] voluntary repatriation or assimilation within new national communities." [175] UNHCR is primarily focused on assisting migrants through third parties, that is, it "distribute[s] . . . among . . . private and . . . public agencies" the "funds . . . [it] receives for assistance to refugees." [176]

Between FY 2019 and FY 2022, PRM provided UNHCR and IOM \$184,909,852 and \$60,757,860, respectively, in awards for various border-related programs. [177] Some of this funding went towards giving migrants CVA, that is, "cash," "cash equivalents," "or vouchers redeemable for certain goods." [178]

To IOM, between FY 2019 and FY 2021, PRM disbursed \$16,882,941 as a voluntary contribution[179] for a program entitled "Support Toward Self-Reliance for Asylum Seekers and Vulnerable Migrants at the Northern Border of Mexico." [180] As part of this program, and in an undisclosed total amount, IOM gave CVA to "vulnerable" [181] migrants in northern Mexico "in two forms: as direct rent payments made by IOM to landlords, and through E-Voucher debit cards" that "to cover daily living expenses." [182] Additionally, in FY 2022, PRM gave IOM a "\$13.5 million" award for "humanitarian assistance"; the Department has provided little information about this award, but it included funding for "providing limited cash-based assistance" to migrants. [183]

In UNHCR's case, the Department acknowledged that UNHCR administers a "CVA program . . . for individuals who have formally requested asylum in Mexico," and that such program involves "a type of card that is used like a debit card . . . at certain stores and locations." [184] UNHCR delivers these payments in "monthly distributions of . . . about USD [\$]212 – 486." [185]

However, the Department has divulged few specifics about this cash assistance program because, apparently, it does not know them: “PRM does not sign grant agreements with UNHCR, but rather provides voluntary contributions” that do not dictate UNHCR’s use of such funds at “the activity level,” and UNHCR “frequently provides services through funding arrangements it has with other international, national, and local implementing partners.”[186] This mechanism obscures UNHCR’s Department-funded cash assistance to migrants behind two levels of opacity.

Indeed, the Department seems to have conducted little oversight regarding its northern Mexico CVA programs in general. In a transcribed interview, Assistant Secretary Valls Noyes did not know “the [typical] amounts of CVA that are distributed” across the Department’s various programs or the normal frequency with which migrants could apply for CVA.[187] Likewise, in a separate transcribed interview, a member of PRM’s staff could not describe the amount of cash “provided per person” or the total amount spent on CVA. [188] And, although IOM and UNHCR ostensibly placed limits on the goods and services on which migrants could spend cash assistance,[189] neither the Assistant Secretary nor the PRM staff member could fully describe what these limits were or how the awardees determined and operationalized them.[190]

Compounding these issues, the Department has failed to produce much of the information it *does* have.[191] When the Department decides to give taxpayer dollars to transient noncitizens, some of whom intend to break U.S. federal law, it should at least maintain a ledger of these expenditures so that it can remain accountable to Congress and the American people. Clearly, in this case, it did not.

Even more problematic, PRM’s CVA programs undoubtedly incentivized northward migration. Indeed, as a result of PRM’s programming, migrants could be assured that, if they made it to Mexico, the migrants were eligible to obtain free rent and spending money.[192]

In addition, it stands to reason that these incentives were especially pronounced for *economic* migrants, those who move northward for economic opportunity; and, because economic hardship does not confer refugee or asylee status,[193] such migrants are unlikely to have valid reasons for entering the U.S. That is, the Department's cash assistance programs likely drew more migrants towards the border and were particularly helpful and appealing to those set on illegal immigration. The Department appears to have ignored this problem altogether: it has not attempted to measure the number of migrants who received CVA while in Mexico and subsequently crossed the border into the U.S.

In her transcribed interview and at a subcommittee hearing, PRM Assistant Secretary Valls Noyes responded to inquiries about CVA in Mexico by asserting that “[CVA] is a well-recognized humanitarian best practice” which PRM “provide[s] . . . all over the world.”[194] Her implication was that if it is okay to give CVA to refugees fleeing the wars in Africa or Ukraine,[195] it is okay to give CVA to the migrants at our border, too. Yet, comparing the provision of humanitarian aid to refugees elsewhere in the world to the provision of CVA to migrants in a country bordering our own is disingenuous. The geographic proximity of Mexico to the U.S., combined with a long history of cross-border illegal immigration, smuggling, and drug cartel activities,[196] creates a real risk that CVA will support activities that harm the United States domestically. PRM must acknowledge the possibility that migrants misuse CVA—in other words, that cash assistance may fund conveniences instead of necessities, end up in the hands of smugglers and cartel members, or facilitate illegal immigration. Unfortunately, it refuses to do so.

In sum, through voluntary contributions, PRM gave cash to migrants. These programs incentivized northward migration and freed up money for illegal journeys into the U.S.

## Coaching Migrants on the U.S. Asylum System

While cash assistance undoubtedly helped migrants enter the U.S., PRM went further: it taught them how to *stay*. One PRM awardee, the Hebrew Immigrant Aid Society (HIAS), used its funding to organize briefings for migrants in which it – notwithstanding PRM’s initial attestations to the contrary – coached migrants on the U.S. asylum system. In doing so, it enabled and encouraged migrants to come to the U.S.

HIAS is a 501(c)(3) nonprofit[197] that provides “services to refugees, asylum seekers, and other forcibly displaced and stateless persons around the world.”[198] While HIAS claims to be “nonpartisan,”[199] it often takes highly-partisan positions on migration and engages in identity politics. For instance, a recent article by one of HIAS’s vice presidents criticized U.S. border policies as too centered on “deterrence,” and for not adopting “nuanced, visionary positions that [we]re focused on comprehensive immigration reform.” [200] This HIAS leader also views U.S. border policy as rooted in “repugnant anti-immigrant platforms that are rooted in antisemitic, white nationalist dogma.”[201] Similarly, HIAS routinely provides programs such as “The Entrepreneurship School with a Gender Lens,” which is an LGBTQ-oriented business training program that was “designed with diversity in mind[] [and] us[es] inclusive language, terminology, and case studies that LGBTQ participants will relate to.”[202] Further, HIAS Mexico’s Instagram posts use partisan buzzwords like gender identity and expression,[203] neurodiversity, [204] and sexual and reproductive rights.[205] One of HIAS key activities, at issue here, is “provid[ing] legal services and support” to migrants.[206]

During FY 2021 and FY 2022, PRM provided \$2,983,000 to HIAS’s Mexico operations.[207] Concerned about this funding, in a letter to the Department dated October 26, 2022, Chairman McCaul requested information regarding the “legal assistance that PRM and/or DRL fund” in Mexico and, specifically, “what programming” related to “legal assistance” is provided.[208]

In response, the Department stated that “PRM has not funded and does not fund legal representation or counselling *related to US immigration proceedings*;”[209] that the implementor “provides shelter residents a broad overview of their basic rights, obligations, and options *in Mexico*;”[210] that “implementing partners provide legal orientation on asylum procedures *in Mexico*, including a basic overview of what asylum is in Mexico and who may be eligible;”[211] that “PRM support[s] [ ] legal assistance in the form of legal orientation, representation, information, and counselling for *individuals seeking international protection or other legal status from the government of Mexico*. PRM does not fund legal representation or counselling related to U.S. immigration proceedings, and the legal assistance provided to those in Mexico is solely for Mexican legal processes;”[212] and that “[p]rovision of legal information, counselling, and/or assistance is part of PRM’s core protection mandate to ensure that forcibly displaced and conflict-affected people are aware of their rights and responsibilities *in their country of refuge*.”[213]

That is, these assertions by the Department portray HIAS as helping migrants navigate the *Mexican* legal system. Yet, notwithstanding these assertions, documents produced to the Committee indicate that PRM does fund counselling related to US immigration proceedings. These representations to the Committee thus are plainly false.

Indeed, for example, a Department-funded presentation delivered by an implementor is entitled “Information for people who wish to enter the US to request asylum,” and counsels migrants on how to obtain asylum in the US. [214] Specifically, using PRM funding, HIAS delivered a PowerPoint slide deck that instructed migrants on the necessary steps to obtain asylum in the U.S. [215] The slides encouraged migrants to enter the U.S., explaining that, to apply for asylum, migrants first had to “[a]rrive in the United States,”[216] and informed migrants what facts to plead when applying.[217]

Migrants were told that they should base their claims on persecution in their home countries, and that the U.S. would “very likely . . . den[y]” their applications if they admitted to migrating “exclusively for economic reasons.”[218] In addition, the presentation counseled that, because “each case is unique,” even migrants who did “not meet the eligibility requirements” had a chance at obtaining asylum.[219] HIAS also made clear that authorities might set migrants free in the U.S. while their applications were pending.[220]

PRM, for its part, claims that it only became aware of these slides during the Committee’s investigation and long after their distribution.[221] A member of PRM’s staff, for instance, indicated that she became “very concerned when [she] saw the slide deck” and stated, “if this slide deck has been used by HIAS and is, in fact, funded by PRM, then I am concerned.”[222] In other words, PRM was not monitoring the content of HIAS’s Department-funded briefings. This fact is particularly egregious because it was predictable that HIAS might incorporate U.S. legal system content, in addition to Mexican legal system content, into its materials. That is because HIAS publicly advertises that it “provide[s] [U.S.] legal services and support, including free legal representation for asylum seekers.”[223]

Use of foreign assistance to provide legal counseling to migrants on U.S. immigration law is unacceptable. That PRM denied this was even going on is egregious.

### Indirect Funding for Migrant Abortions

Beyond encouraging migration, PRM’s awards in Mexico made abortion services more accessible to migrants. Specifically, while receiving PRM funding, IOM referred migrants to abortion providers.[224] PRM’s support for abortions in this way implicates potential violations of federal law and serves as another example of the Department using foreign assistance to promote partisan values abroad.

A federal law known as the Helms Amendment prohibits the State Department from using foreign assistance funds “to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions.”[225] Future appropriations statutes have clarified that “the term ‘motivate,’ as it relates to family planning assistance, shall not be construed to prohibit the provision . . . of information or counseling about all pregnancy options[.]”[226] Thus, a grantee “inform[ing] or counseling” migrants about abortion would be legally permissible, while any encouragement or facilitation above this threshold would likely violate federal law.[227]

Perhaps because of these restrictions, IOM is careful to avoid mention of abortion in its official materials. However, it does make clear that it “works to” improve the “reproductive health” of migrants in North and South America. [228] This phrase is coded language. The United Nations has defined ‘Reproductive Health’ as including “the freedom to decide if, when and how often to [reproduce]” and “access to . . . methods . . . for regulation of fertility which are not against the law.”[229] In other words, so long as abortion is legal (and it is in Mexico[230]), ‘reproductive health’ includes access to abortion; IOM this is supportive of providing abortion access to migrants.

This fact is concerning because IOM has stated that its “[p]lan[] for 2022-2025” award spending included “[b]uild[ing] the capacities of local health providers to assist migrants.”[231] Such programming could involve supporting “reproductive health”. And, within the same time period, IOM directed migrants in Northern Mexico to abortion providers.

For instance, in a brochure intended for pregnant migrants in Mexicali, IOM offered a map of pregnancy healthcare providers.[232] An organization called “Centro de Salud Industrial” was among the listed establishments.[233] The Mexican government identifies Centro de Salud Industrial as an abortion provider.[234] Similarly, in a directory of services for migrants in Tijuana, IOM directed migrants seeking sexual and reproductive care to the “Justicia en Salud” health center.[235] Justicia en Salud identifies itself as providing support for pregnancy loss and termination.[236]



The Department has insisted that “PRM does not support, fund, or in any way provide support for abortion or abortion services”[237]—in other words, it claims that PRM funds did not go to the abortion centers mentioned above or support IOM’s abortion referrals. However, it has provided little factual basis for this assertion. For instance, when asked whether IOM was providing PRM funds to Centro de Salud Industrial, Assistant Secretary Valls Noyes stated, “I do not know if we are funding this entity.”[238] It follows that the Department does not know whether taxpayer dollars are supporting the center’s abortion programs.

Similarly, when asked how PRM was certain that the entities it funds were not using grant money to offer or support abortion, Assistant Secretary Valls Noyes simply referred to the Department’s “normal monitoring and evaluation processes,” which, she agreed, were “site visits and . . . reporting.”[239] Where, as here, grantee activities implicate potential violations of federal law, it is expected of the Department to employ verification processes more stringent than occasional check-ins and awardee-written reports.

The extent of IOM’s involvement with abortion services or whether it used award money to fund that involvement is unknown because, it appears, the Department itself does not know. It is therefore not presently possible to tell whether the Department violated the Helms Amendment. But there are reasonable grounds to suspect that a violation may have occurred.

IOM used PRM funding to “[b]uild the capacities of local health providers to assist migrants,”[240] and IOM’s referral of migrants to abortion centers like Centro de Salud Industrial could have fallen into this category.[241] If IOM accomplished such referrals with U.S. dollars and those referrals rose to the level of “motivati[on],”[242] the Helms Amendment would have proscribed them. Likewise, IOM directly supporting Centro de Salud Industrial’s abortion activities with U.S. dollars would, of course, also have violated the Helms Amendment. And, because money is fungible, all PRM funds IOM received while helping migrants have abortions constituted indirect U.S. support for those abortions.[243]

Further, even if the Department complied with federal law, its indirect support for abortion is yet another example of how it has used foreign assistance to spread progressive values abroad. While the Mexican Supreme Court determined a constitutional right to abortion in 2021, it remains a controversial topic: a poll from that same year found that 53% of Mexicans opposed legalizing abortion.[244] Similarly, a 2023 poll determined that 50% of Mexicans believed that abortions should be illegal, while only 46% percent believed they should be legal.[245] By supporting IOM while IOM facilitated abortions, the Department encouraged in Mexico a service and worldview with which the majority of Mexicans disagreed.

By indirectly supporting abortions for migrants, the Department co-opted foreign assistance in service of its partisan ideology and potentially ran afoul of federal law. The extent to which taxpayer dollars contributed to abortions remains unclear. In this precarious situation and with the lives of unborn children at stake, the Department barely bothered to check.

***Conclusion: PRM Border Program Oversight Recommendations for the 119th Congress***

Through poorly conceived award programs and poor oversight of those programs, PRM fueled the flood of migrants at our southern border and may have violated federal law. As the border crisis continues, so too will this investigation of PRM's contributions to it.

Among the substantive issues discussed throughout this report, the situation at the border is uniquely dynamic. The 119th Congress should not allow these issues to remain unpursued. Illegal immigration is a major issue in the 2024 presidential election, and both candidates have debuted novel border policy platforms.[246]

The beginning of the new administration will therefore provide Congress with an ideal opportunity to hold PRM accountable in real-time. Investigators should request (and ensure that the Department delivers) information about PRM's contemporaneous border awards. This course of action will force PRM to learn about its awardees' activities so that it can no longer claim ignorance. It also will assist Congress in assessing and curtailing any new or continuing programs that, like those described above, incentivize illegal immigration or advance other concerning causes like abortions for migrants.

On CVA, the next Congress should gauge the problem's scope by requesting a detailed accounting of all taxpayer dollars funding CVA in northern Mexico, including a list of all awards which provide such CVA. On legal assistance to migrants, the Department claims that it no longer directly funds HIAS's Mexico operations,[247] so the next Congress should identify (1) whether any PRM funding for UNHCR still redirects to HIAS; and (2) whether the Department continues to fund any legal assistance for migrants.[248] On abortion services offered by IOM partners, the next Congress should contact IOM and its partners directly to discern the extent to which U.S. funding for IOM assists abortion providers and the extent of IOM's connections to and involvement with abortion services in general.

#### **IV. OPERATING IN THE SHADOWS: GRANT MISMANAGEMENT AT THE BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR (DRL)**

The State Department's Bureau of Democracy, Human Rights, and Labor (DRL) oversees foreign assistance given to entities to fight "democratic backsliding, promote accountability, uphold internationally recognized labor standards, and advance the rights and equity of members of marginalized racial, ethnic, and religious communities, indigenous persons, persons with disabilities, and LGBTQI+ persons." [249] DRL awards funding to third-party entities like nongovernmental organizations (NGO), foreign countries, and public international organizations (PIO).

In theory, these outside organizations offer DRL staff, training, and connections to local civil society to better effect change across the world. These implementing partners can then choose to provide funding to sub-grantees as a part of their execution of the DRL program.

The foreign assistance DRL provides is funded through Congressional appropriation of money to the State Department for the Economic Security Fund (ESF) and the Human Rights Defense Fund (HRDF).[250] Congress has outlined the core purposes for the HRDF appropriation: “(1) to support defenders of human rights; (2) to assist the victims of human rights violations; (3) to respond to human rights emergencies; (4) to promote and encourage the growth of democracy, including the support for nongovernmental organizations in foreign countries; and (5) to carry out such other related activities as are consistent” with the these goals.[251] However, over the course of the 117th and 118th Congresses, it has become apparent that the State Department is misusing the funds appropriated for these purposes.

This section outlines how, consistent with State Department actions exhibited thus far, DRL obstructed congressional oversight, failed to turn over information about its implementing partners, and consistently funneled grants towards partisan organizations advocating radical ideologies. DRL has the capacity and mandate to promote shared American values abroad as part of the United States’ soft power. It is thus a shame that DRL instead chooses to pursue the implementation of radical programming with no clear linkages to American interests and to reject calls for transparency and accountability.

### ***DRL Obstruction of Congressional Oversight***

On May 31, 2022, DRL notified Congress of its intent to obligate \$210 million for the HRDF and ESF to support “human rights and democracy programs globally”[252] through Congressional Notification (CN) 22-136.[253] In June 2022, then-Ranking Member McCaul requested all contracts and sub-contracts stemming from CN 22-136.[254] It took DRL almost a year to respond to the Committee and to produce documents pertaining to the funds.[255]

Further, most of the documents produced by DRL were not pertinent to the Chairman's inquiries and failed to provide clarity as to where the funding was going, who would be implementing the program, and what they would be doing.[256] Indeed, the first document production by DRL – which merely contained the names of certain partners and how much they were to receive – provided no information whatsoever about 121 of the 169 implementing partners receiving these funds from HRDF and ESF.[257]

In January 2023, upon assuming the chairmanship of the House Foreign Affairs Committee, Chairman McCaul reissued his June 2022 letter to the Department as a result of the Department's failure to issue any response during the 117th Congress.[258] It was only in April 2023 that the Department finally acknowledged the Chairman's requests for information and produced documents.[259] Unsurprisingly, the documents produced accounted for only 42% of the funding contemplated by the HRDF.[260]

In June of 2023, the Chairman wrote to the Department once more, requesting "all award package documents provided to the grant officer as well as all deliberative documents, including the omitted Statement of Work attachments, score sheets... risk assessment, [and] internal and external email correspondence." The letter requested the Department produced the documents no later than July 7, 2023.[261] Once again, the Department failed to meet the deadline for production.

Over the course of the following months, from September 2023 until January 2024, Committee staff engaged with the Department in an effort to secure the complete award packages.[262] Repeatedly, the Department declined to respond.[263] Finally, on January 8, 2024, the Department produced another set of DRL documents in response to the Committee's request.[264] Though the Committee asked the Department to withhold certain unresponsive documentation, such as DS-1909 forms for a Federal Assistance Award (FAA), the Department's second document production consisted primarily of those forms anyway – evidence of either Department incompetence or unwillingness to properly comply with Committee request.[265]

Further, the Department claimed the second document production comprised the “remainder” of grant-related material for HRDF.[266] Yet, the second document production was unresponsive to the scope of the Committee’s request as it comprised FAAs for the remaining organizations without any substantive evidence of organizational goals, structure, and assessment.

As of the publication of this report, the Committee consistently engaged with the Department on DRL-related oversight,[267] yet the Committee still lacks documents regarding more than half of the partner organizations. To date, the Committee has received complete information for just twenty-two organizations. For the remaining 147 organizations, names and funding amounts are listed in FAAs provided in March 2023 and January 2024 by the Department. However, all but about 20 organizations lack further supporting documentation (e.g., score sheets, risk assessments, and action memorandum) to explain why they are receiving millions of dollars in grants or what the organizations are doing with the money.

When DRL did elect to provide documentation on certain partner organizations, it was frequently incomplete. For example, DRL provided information on increases in funding for C4ADS,[268] the Due Process of Law Foundation,[269] Equal Access International,[270] and the Friends of the Forensic Anthropology Foundation of Guatemala.[271] However, notification of these funding increases did not include a scope of work or action memorandum, making it impossible for the Committee to understand how these groups planned to spend funds.

In another instance, the International Center for Journalists received a funding extension of \$296,000 as reported in its FAA which referenced an attached scope of work to explain what that additional funding would support.[272] However, again, Congress did not receive this scope of work as a part of the Department’s follow-up documentation, as is common for many FAAs submitted on partner organizations. To notify Congress of funding for DRL programs without providing details on what the funding is going towards is tantamount to sending taxpayer dollars overseas with no oversight, no

accountability, and no transparency.

One would think DRL would be proud of its partners purporting to promote and defend democracy abroad and would want to showcase their human rights work. Instead, DRL insists that information can only be shared in classified settings, when they deign to provide information at all. Such practices make it nearly impossible to track down details on how Congressional funds are spent. The Bureau's unwillingness to share all documents pertaining to funds suggests that either the Department is unaware of where taxpayer funds are going or that the Department is intentionally obfuscating its implementing partner and their activities.

### ***DRL's Opaque Implementing Partners***

The inquiries into DRL's grants, and DRL's inability to provide adequate responses, gave rise to concerns that DRL implementing partners are not transparent about their use of federal funds.

In one example, Stichting Hivos, an organization conducting civil society work in Eastern Europe, stated that it provided subgrants to "a Brazilian women's rights organization" and "an organization in Mexico", however, none of these subgrantee names are provided.[273] Similarly, the Organized Crime and Corruption Reporting Project – a partner for which the Committee received very little documentation – removed the names of certain staff members from its website.[274] While the Committee understands that publishing the names of organizations and key civil society actors may present risks, it is unacceptable that the federal agency granting the funding to such organizations has no visibility into the people and groups to whom their funding flows.

In another instance, DRL submitted incomplete documents on how it assessed the risk in funding granted to the Karuna Center for Peacebuilding, which works to assist Nigerian human rights efforts. The risk assessment provided to Congress contained only scores without any supporting commentary justifying why such scores were received.[275]

In 2023, Karuna suspended its activities on the ground in Nigeria due to “increasing armed bandit attacks which their trainings and workings are implemented to prevent.”[276] Had the Department conducted a more thorough risk assessment, and shared the assessment with Congress, taxpayer dollars might have been prevented from contributing to an ineffectual project.

DRL’s repeated failure to fully comply with Congressional requests for information denotes an institutional disregard for the role of Congressional oversight. There is no reason why the State Department should not have access to or the willingness to share information regarding the implementing partners and activities they fund with taxpayer dollars. The lack of information, and oftentimes inaccurate information, provided to the Committee in DRL document productions is cause for concern that taxpayer dollars are being used inefficiently and ineffectively in the advancement of American interests abroad.

### ***DRL Funding for Partisan Programming***

Consistent with a broader pattern across the State Department, DRL funding seems to be channeled to explicitly partisan, ideological organizations for explicitly partisan, ideological programming. With American taxpayer dollars, DRL is using human rights appropriations to fund organizations which promote radical feminism, LGBTQI+ activism, and environmental justice.[277]

The \$210 million CN in question for these organizations, CN 22-136, is rife with vague “diplomacy” language, including references to how taxpayer dollars are supporting “capacity building” among “marginalized populations” and “transitional justice” for victims of violence.[278] The CN provides no definition or quantification of such terms. The Bureau also earmarked \$18 million in ESF funding to help partners find civil society organizations to “advance truth, justice, and accountability in fluid and closing environments.”[279] Beyond this veneer of overly broad Department language, DRL provided no specific or detailed information on what organizations or activities these funds would be supporting, much less the impact they aim to achieve.



As might be expected from such undefined programming and empty justifications for funding, DRL programming lacks an adequate link between its use of highly partisan implementing partners and its programming to advance core American interests. Instead, the amalgamation of causes supported by DRL paint a picture of a Bureau using taxpayer dollars for a campaign of global virtue-signaling.

For example, HRDF finances the U.S. Strategy on Women, Peace, and Security which requires each grant applicant to draft a standalone analysis of the applicant's impact on female empowerment and gender equality.[280] While the focus on gender may, at first, appear justifiable, the result is a consideration of grant applicants through a distorted lens. Rather than focusing on impact, an emphasis on gender identity rather than human rights protection and democracy-building activities results in the selection of biased or highly partisan implementing partners. In other words, the Department is funding programs based on how they promote partisan notions of gender equity in non-Western nations instead of whether they offer tangible methods through which to build democracy and protect human rights for all people.

Further, certain DRL partner organizations openly espouse hyper progressive rhetoric in their mission statements. The Disability Rights Fund, a partner which received \$1 million in federal funding, envisions "a world where women, girls, and persons with disabilities of diverse sexual orientations ... live free of stigma and oppression based on sexism, homophobia, transphobia, and ableism to experience equality within gender transformative systems." [281] Disability Rights Fund claims to align with the feminist movement to achieve "reproductive justice." [282] By marketing its human rights work this way instead of inclusion and compassion for all people with disabilities living in West Africa, the Disability Rights Fund unnecessarily segregates an at-risk population in the name of advancing progressivism.

ITS Rio, another implementing partner which received almost \$1 million to "channel gig workers collective voice in Brazil and Colombia," [283] describes

its mission as “mobilizing progressive forces to capture value or oppose threats and design collaboration between competing interests for the public good.”[284] But ITS Rio fails to clarify which progressive forces it is funding and what “progressive” means in the context of free speech and deregulated internet services. At a time when Brazilian courts have ruled that certain social media platforms spread disinformation and foster hate speech, bolstering free speech in Brazil should top DRL objectives for the nation.[285]

Further, there appears to be no connection between ITS Rio’s mission to advocate for gig workers’ rights and the advancement of American interests in Brazil, a country where China and Russia continue to land lucrative resource contracts and undermine American policies in the Western hemisphere.[286] In an era of great power competition, American diplomatic assistance must be strategically deployed to support tangible goals or clear democratic ideals if it is going to ever effectively combat influence from Chinese and Russian investments.

Occasionally, partisan objectives are visible at the subgrantee, rather than partner, level. For example, femLINKpacific, a subgrantee and primary Country Partner of DRL-funded Internews Network,[287] has the following mission statement:

All persons, notably the marginalized, should be treated equally regardless of actual or supposed ‘differentiating’ characteristics. These include gender/gender expression, assigned sex, age, ability, ethnicity, religion or faith, sexual orientation, primary language, economic status, family status, or opinion.[288]

Perhaps the State Department missed the irony in femLINKpacific claiming to stand for all persons without differences and then listing largely immutable characteristics (religion, assigned sex, age, ethnicity, etc.) which differentiate people.

Rather than being an outlier subgrantee, femLINKpacific reflects the ideology and agenda of its grantor. Internews Network itself states that “women bear the brunt of climate change,” though it is inconceivable how acts of nature can discriminate based on gender.[289] The Department is therefore funding NGOs which tout identity politics and radical climate rhetoric while masquerading as human rights groups. Worse, such groups routinely fail to provide concrete evidence of activities conducted for the benefit of at-risk communities abroad.

FemLINKpacific is not the only subgrantee conducting human rights activism through a lens of identity-based, partisan rhetoric. As a subgrantee of the International Republican Institute (IRI) (which itself received \$21 million from DRL),[290] Proud to Be Us Laos provides training and talking points for “government counterparts who expressed interest in learning how youth can contribute to national development” of LGBTQI+ rights.[291] DRL is therefore funding gay rights education, something inherently related to sexual activity, for Laotian children. This is particularly shocking coming from IRI, an organization founded on Reaganite principles to promote republicanism and “independent political institutions” abroad.[292]

Unfortunately, DRL funding of partisan ideological activism is not confined to foreign NGOs. Less than twenty miles from the Department, the Carter School for Peace and Conflict Resolution at George Mason University (GMU) has received nearly \$500,000[293] to research and promote “increased public voting support for electoral candidates [abroad] from traditionalized groups such as women & LGBTQ people.”[294]

As the Committee’s investigation uncovered, through such grants, DRL is using taxpayer dollars to advance the election of candidates abroad who hold a particular political and ideological view. Beyond the problematic implications of funding programs involved in advocating for particular political positions abroad, neither DRL nor the State Department can justify how such funding advances American national security, economic, or diplomatic interests abroad. If anything, such grants are counterproductive to American diplomacy,

as they might be construed as American election-meddling at a time when it is critical for the United States to maintain its integrity as a nonpartisan promoter of democracy.

It is the mission of DRL to “champion[] universal values, including respect for the rule of law, democratic institutions, and human rights.”[295] While the mission includes “advanc[ing] the rights and equity of members of marginalized” communities, DRL’s current grants, and their choice of implementing partners, reflect a Bureau-wide push to fund organizations of a particular ideological position as opposed to those truly advancing universal values. Worse, in almost every instance in which the Committee has pressed the Bureau on justifications and impact assessments for these grants, DRL has failed to describe how this funding furthers its mission or American interests.

### ***DRL Grant Mismanagement***

In addition to obstructing transparency and funneling grant funding to progressive organizations, DRL has proved to be a poor steward of American taxpayer dollars. DRL routinely fails to appropriately oversee and manage the grants it awards.

Proposals submitted to the Department by potential returning implementing partners must lay out any failures or missteps taken during those ventures and how those failures were addressed. This is to promote Departmental and Congressional oversight of federal funds and ensure the NGOs receiving taxpayer dollars employ them productively and efficiently. The National Democratic Institute (NDI), which has received Department funding from DRL for decades, has an ongoing political accountability project in its fifth iteration as of 2023.[296] However, in its proposal to receive renewed DRL funding for a joint government-NGO project entitled “Political Accountability, Inclusivity, and Resiliency Support (PAIRS) V,” NDI did not identify any “specific programmatic failures” nor “talk[] about what they learned” from their mistakes in PAIRS iterations I – IV.[297] “If there is any place to do that,” the DRL Global Projects

staff member pointed out, “it’s a Congressionally-mandated award narrative.”[298] The Committee is in full agreement with DRL on this point. Evidently, NDI has cut corners in its grant application, ignoring self-assessment requirements for partners to receive continued funding, and continues to fund projects which have proven ineffectual at their human rights goals.

The repeated extension of funding to organizations like NDI reflect DRL’s unwillingness to prioritize self-sustaining programs. Indeed, an email chain between DRL and NDI staff reveals the NGO is burning through federal funds. Initially, NDI received \$5 million for a three-year contract to manage the Fundamental Freedoms Fund and allocate such money to subgrantees.[299] After only six months, NDI had spent the \$5 million allocated and other funding for its consortium partners’ human rights projects, demonstrating great disregard for its own timeline and fiscal health.[300] When considering the re-authorization of the PAIRS program in their program score sheet, a DRL staff member remarked that if NDI’s program training individuals as new trainers to spread democratic values in their communities was “sustainable, we wouldn’t still be funding NDI 30 years later. No one has really addressed the fact that democracy focused NGOs can’t support themselves absent USG funding.”[301] DRL’s own staff admits their funding is not effecting sustainable change. It is problematic enough that DRL funnels grants funding to highly partisan organizations, but the fact that the Bureau acknowledges that funding is not advancing U.S. interests and still chooses to extend the funding demonstrates serious mismanagement of taxpayer dollars.

Finally, in its previous projects with the Department, NDI has repeatedly been caught violating OMB Guidelines when conducting oversight of its subgrantees. If a subgrantee is prohibited from subcontracting with NGOs receiving federal funding, as is common for local NGOs in places of political turmoil areas like Afghanistan, Iran, and Somalia due to potential ties with undemocratic individuals and ideas, they cannot receive funding from a federal grant to an authorized NGO.[302] Twice in the last five years, NDI has performed such suspension and debarment analyses of its subgrantees only

after entering the subcontracts, a clear violation of § 180.300.[303] When pressed on such practices by the Committee, DRL responded with a suggestion that since “DRL is in regular contact with NDI as well as all of the subgrantees,” these federal guideline violations do not raise concern.[304] The Bureau failed to address the material fact that such actions are in clear violation of OMB guidelines and create opportunities for U.S. dollars to end up in the hand of anti-democratic or terrorism-affiliated individuals.

### ***Conclusion: DRL Grants Oversight for the 119th Congress***

The Committee is unwavering in its commitment to crucial human rights work in crisis-laden regions across the globe; what it cannot support, however, is poor stewardship of taxpayer dollars. The flow of DRL funding almost exclusively to organizations of a particular ideological leaning, with no nexus to the advancement of material U.S. interests abroad, and with no clear results to show for it, exemplify the systemic issues within the State Department’s grants process. Because the Department has failed to produce countless necessary documents for most of the funded organizations, propped up organizations with mission statements which espouse highly partisan rhetoric instead of unbiased human rights work, and even excused the violation of federal regulations by a long-term partner, it falls to Congress to ensure DRL address these issues expediently or have their appropriations reduced.

Ensuring DRL compliance with Congressional oversight and appropriations requirements must be a priority for the next Congress. Chiefly, more frequent communication about existing grant partners and ongoing projects, particularly the partners who are reauthorized for multi-million-dollar grants year after year (e.g., the International Republican Institute and National Democratic Institute) should be prioritized. These partners’ projects purport to work toward self-sufficiency, yet Congress has been re-appropriating money for these projects for decades.

Rather than appropriating funding to HDRF and ERF and conducting oversight investigations as unsavory Department behavior arises, the next Congress should take a more proactive approach to regulating the dollars appropriated to these funds. The next Congress may also consider establishing more discrete criteria for selecting a grant recipient, such as swapping the Department-mandated gender analysis for a cost analysis with proposed timelines for funding self-sufficiency. This will ensure that the Department has resources available to fund cutting-edge projects without being tied up in decades-long foreign aid endeavors which prioritize partisan pandering over true human rights protection.

## **V. THE GLOBAL ENGAGEMENT CENTER (GEC): FIGHTING DISINFORMATION OR FUNDING CENSORSHIP?**

Although disinformation<sup>[305]</sup> has existed since antiquity,<sup>[306]</sup> contemporary concern regarding the concept surged during the 2016 election and its surrounding controversies.<sup>[307]</sup> Fittingly, through the 2017 National Defense Authorization Act (NDAA),<sup>[308]</sup> Congress transformed the GEC, a State Department office<sup>[309]</sup> previously tasked with “counter[ing] the messaging and diminish[ing] the influence of international terrorist organizations,” into a body responsible for “counter[ing] foreign state and non-state propaganda and disinformation efforts.”<sup>[310]</sup> The GEC’s operations expanded commensurately with this increase in its legislative mandate.<sup>[311]</sup>

While the existence of foreign disinformation and the threat it poses to America’s national security are uncontroversial,<sup>[312]</sup> government attempts to mitigate this threat, for example, by establishing entities like the GEC, can veer into politically motivated and illegal censorship. As one scholar notes:

[There is] ample philosophical fodder for why the First Amendment protects empirically disprovable falsehoods like fake news from government control. Simply put, permitting the

government to tell society what is and is not true is treacherous, for it vests officials temporarily in charge of the country with the power to twist narratives to serve their own purposes.[313]

Exacerbating this potential for abuse, whether a fact or narrative constitutes mis- or disinformation is a rather subjective and often nebulous determination – in other words, the GEC has discretion to determine the types of information it targets:

[T]he vast majority of the empirical research on fake news depends on pre-constituted lists of information or media that are prepared by fact-checkers or government news agencies. In both cases, the criteria for the attribution of the status of ‘fake’ and for the elaboration of the lists are not transparent, and nor are they scientific since none of these organizations principally carries out scientific activities.[314]

Unsurprisingly, then, eight years after receiving its expanded mandate, the GEC is facing allegations that it censors Americans, especially conservative Americans, in violation of the First Amendment.[315] The GEC has also received scrutiny for ineffectiveness in its operations and in its ability to counter foreign information manipulation efforts.[316] This section focuses on these concerns as they relate to the GEC’s grants, cooperative agreements, and other awards through analysis of what constitute, to the extent investigated by this report, the most problematic instances of such spending. More specifically, this section highlights awards emblematic of one or more of the following issues:

- The GEC funds companies which, in their course of activities, suppress both American and foreign speech. The GEC alleges these awards are conditioned upon recipient companies only utilizing government funds in efforts to monitor and “counter” the latter type (foreign speech), and for this reason the GEC insists such awards are acceptable and do not implicate First Amendment concerns.



However, given the fungibility of grant money referenced throughout this report, by providing any money to these companies, the GEC likely is financing, albeit indirectly, the censorship of Americans. Moreover, while funding the censorship of foreign speech is less legally concerning than funding censorship of American speech, as a matter of policy it would appear incorrect to impose on the U.S.'s allies and partner nations speech conditions which Americans will not accept.

- The GEC funds technologies and research which, although the grantee does not yet apply them to this end, enable the online censorship of Americans by other actors. Such spending creates a concerning dichotomy. If some third party uses GEC-subsidized technology or research to conduct censorship, then the GEC has supported that censorship. If, however, the research or technology sees no use by third parties, then the GEC has essentially wasted money.
- The GEC funds companies which target their speech suppression activities towards conservatives specifically.
- The GEC funds ineffective and wasteful projects.

### ***The GEC's Structure and Grantmaking Authority***

The GEC is a State Department office subordinate to the Under Secretary for Public Diplomacy and Public Affairs.[317] Its authorizing statute is the 2017 NDAA, as amended by the 2019 NDAA and codified at 22 U.S.C. § 2656.[318] Pursuant to § 2656, the GEC's purpose is "to direct, lead, synchronize, integrate, and coordinate the efforts of the Federal government to recognize, understand, expose, and counter foreign state and foreign non-state propaganda and disinformation efforts aimed at undermining or influencing the policies, security, or stability of the United States and United States allies and partner nations." Among other functions, the GEC administers grants and awards through the Information Access Fund (IAF), and such funding must further one of four objectives:

1. “To support local entities and linkages among such entities, including independent media entities, that are best positioned to refute foreign propaganda and disinformation in affected communities.”[319]
2. “To collect and store examples of print, online, and social media disinformation and propaganda directed at the United States or United States allies and partner nations.”[320]
3. “To analyze and report on tactics, techniques, and procedures of foreign information warfare and other efforts with respect to disinformation and propaganda.”[321]
4. “To support efforts by the Center to counter efforts by foreign entities to use disinformation and propaganda to undermine or influence the policies, security, and social and political stability of the United States and United States allies and partner nations.”[322]

Critically, all the GEC’s expenditures, and thus all grants or awards through the IAF, must “be used for . . . countering foreign propaganda and misinformation that threatens United States national security.”[323]

### ***GEC Awards and Award Recipients***

The GEC disbursed at least 108 awards[324] between FY 2018 and FY 2023, many giving rise to numerous subawards. Despite the Committee’s repeated inquiries into these awards,[325] the GEC has provided little information about their nature or scope. For instance, on May 1, 2023, the Committee requested grant documents relating to the Department’s funding of eight organizations. [326] To date, we have received those documents for only one such organization.[327] Likewise, while the Department provided a spreadsheet purporting to contain all the GEC’s “cooperative agreements and grant recipients for Fiscal Years 2018 – 2023,”[328] such spreadsheet contains little substantive information about these awards, is partially redacted, and appears to be incomplete.[329] In at least one instance, the Department does not know the ultimate recipient of GEC funding.[330] Having noted this dearth of information, several awards distinguish themselves as particularly egregious.

## GEC Awards and Award Recipients

Park Capital Investment Group, LLC, known as Park Advisors, is an obscure company established in 2014 purporting to help clients “achieve . . . financial, economic, and political goals.”[331] In FY 2018, the GEC awarded Park Advisors \$2,997,345, much of which it passed on in grant subawards.[332] Through these subawards, the GEC funded Disinformation Index Ltd., NewsGuard, the Institute for Strategic Dialogue, and the creation of a counter-disinformation video game, topics constituting four of the five remaining subsections herein.[333] Functionally, then, the GEC accomplished its most problematic funding using Park Advisors as a proxy.

In addition to granting subawards, Park Advisors administered the GEC’s Disinfo Cloud, a now-defunct platform which promoted, “to select government, civil society, and private sector users,” “tools and technologies available to help push back against foreign propaganda and disinformation.”[334] Many of these devices claimed to identify the spread of information, including propaganda and disinformation, across the internet.[335] The plaintiffs in *Daily Wire, LLC v. United States Department of State*, a lawsuit claiming the GEC violated the First Amendment, allege that “the Disinfo Cloud repository of [Countering Propaganda and Disinformation] tools and technologies included many that targeted American speech.”[336]

It is unclear whether Park Advisors still exists;[337] in any case, GEC now identifies Park Advisors as a “former implementing partner[.]”[338] However, Christina Nemr, previously the director of Park Advisors, founded a new company called Becera which claims to “link the public and private sectors in support of tech discovery, assessment, and application,” functions similar to those of Disinfo Cloud and potentially Park Advisors.[339] The plaintiffs in *Daily Wire* allege that “Becera has received awards of over \$1 million from the State Department as a sub-grantee since its January 2022 founding,” although we cannot independently verify this finding.[340]

### Subaward to Disinformation Index Ltd.

Disinformation Index Ltd., known as the Global Disinformation Index (GDI), is a UK-based not-for-profit organization “established in 2018” which publishes a “Dynamic Exclusion List . . . of global news publications rated high risk for disinformation.”[341] This list is then “licensed by digital media and ad tech companies and integrated into their broader approaches to brand safety and ad placement.”[342] In other words, when the GDI determines a news outlet lacks credibility, it impedes the ability of that outlet to host ads on its site and thus to obtain the revenue necessary to operate. It follows that the GDI conducts censorship.

While this function alone is concerning, the GDI’s list, although private,[343] also appears to be biased against conservative publications. In a GDI report detailing “the media landscape for the United States,” eight of “[t]he ten riskiest online news outlets” the GDI identified were right of center politically, while nine of “[t]he ten lowest-risk online news outlets” it identified were left of center.[344]

In 2021, Park Advisors provided a \$100,000 GEC-subaward to the GDI to “[a]dapt [the] GDI’s AI technology for the languages of Chinese, Japanese and Korean . . . [and] [t]rain GDI classifiers on local and culturally relevant adversarial narratives and linguistic nuances.”[345] The GDI’s AI technology is used to identify sites to place on the Dynamic Exclusion List, among other functions.[346] In short, the GEC helped the GDI develop the capacity to expand its biased censorship operations to foreign countries, among them two of our allies.

### Subaward to NewsGuard Technologies, Inc. (NewsGuard)

The GEC’s subaward to NewsGuard creates issues mirroring those of its subaward to the GDI. NewsGuard, an American company established in 2018, offers a product called NewsGuard for Advertising which “provides rich data

about online news sources that advertisers use to avoid ad placements on misinformation, disinformation, and untrustworthy news sources[.]”[347] Thus, like the GDI, NewsGuard diverts advertising revenue from outlets it determines lack credibility.

However, NewsGuard also maintains a suite of other censorship-adjacent products. For instance, its News Reliability Ratings “rate and review the reliability of news sources” and are accessible to the public,[348] and its Misinformation Fingerprints program offers a “machine-readable catalog of top false claims circulating online” which, NewsGuard suggests, social media companies could use “to detect content that may violate their policies against harmful misinformation.”[349] All these products, in one way or another, contribute to the suppression of targeted outlets.

While NewsGuard insists its rating “criteria are apolitical,”[350] studies by the Media Research Center have repeatedly shown that NewsGuard rates conservative outlets as less credible than liberal outlets by, on average, twenty-five or more points on a one-hundred-point scale.[351] Further, in at least one instance, NewsGuard appears to have targeted its critics. One week after a law professor authored a news article characterizing NewsGuard as conducting censorship, NewsGuard decided to “review[]” that professor’s blog.[352] In “inquiries” it sent to the blog as part of this review, NewsGuard incorrectly presupposed that the blog was “conservative or libertarian” and questioned “[w]hy . . . this perspective [was] not disclosed[.]”[353] The professor aptly described “[t]he timing of [NewsGuard’s] inquiry . . . [as] chilling.”[354]

In November 2020, Park Advisors awarded NewsGuard \$25,000 for what the Department originally described as “a four-month project to help the GEC and USCYBERCOM better understand the origins, content, and spread of Russian and PRC disinformation campaigns.”[355] After the Committee pressed the Department for more information about this project,[356] it produced the award’s Statement of Work.[357]

That document revealed that the award’s purpose was in fact studying 2020 election disinformation.[358] NewsGuard intended to gauge “foreign interference before and after the 2020 U.S. elections” by “identify[ing] the niche topics being exploited, the narratives being spread, and the influencers who hold sway over target audiences.”[359] In theory, the project culminated in “[a] series of reports”:[360] however, despite requesting these reports from the Department over two months ago, we have not yet received them.[361]

NewsGuard also “work[ed] with the GEC and Park Advisors [in 2022] to help trace Russian state-sponsored false narratives spreading through Venezuelan media outlets.”[362] As part of this effort, Park Advisors spent \$50,000 for use of NewsGuard’s Misinformation Fingerprints product.[363]

The domestic nexus of Park Advisors’ 2020 award to NewsGuard implicates potential First Amendment concerns, especially since analysis of American political speech seems to fall within the research contemplated by its Statement of Work.[364] In this regard, the Department’s original description of the award concealed this nexus and it has since failed to produce the documents necessary to assess this award.[365]

The reports NewsGuard produced are critical to determining the scope of this problem.[366] More information is also necessary to determine the extent to which the 2022 award was problematic. While nothing on its face implicates domestic censorship, the fact that the GEC previously contracted NewsGuard to analyze domestic issues suggests that this award deserves heightened scrutiny.[367] In addition, the GEC’s funding of an organization like NewsGuard which does, in other contexts, definitively conduct domestic censorship conjures fungibility and credibility concerns.

#### Subaward to the Institute for Strategic Dialogue (ISD).

The Institute for Strategic Dialogue (ISD), “[f]ounded in 2006,” is a think tank which “identif[ies] and track[s] online manipulation, disinformation, hate and extremism[.]”[368]

With this analysis, it produces “programmes [for] cities, practitioners and civil society” as well as “policy solutions[.]”[369] Publications by the Institute for Strategic Dialogue frequently target right-wing ideas and call for their censorship.[370]

In late 2021, Park Advisors gave the ISD and a partner organization \$50,000 to “[c]onduct a pilot study to detect suspected manipulation of Wikipedia and share these [sic] with research, government and civil society partners.”[371] While this investigation cannot with certainty trace the ISD’s use of these funds, it likely resulted in an ISD report entitled “Identifying Sock-Puppets on Wikipedia: A Semantic Clustering Approach.”[372] The report explains a methodology through which the ISD identified groups of accounts making “semantically similar contributions to Wikipedia”; Wikipedia could use such technique to locate and ban alternate accounts of users identified as manipulating information.[373]

Unsurprisingly, however, the report does not advise against using the method to target American accounts or otherwise discuss the First Amendment implications of using a government-funded tool to this end.[374] Thus, if Wikipedia or other organizations employ the method, the GEC will have funded a tool used to potentially censor U.S. speech; if no organizations employ the method, the GEC will have funded a useless project.

### Video Game Awards or Subawards

The GEC appears to have spent over \$500,000 funding the development of two counter-disinformation video games, Harmony Square and Cat Park. The specifics of the awards in question are difficult to trace.

Regarding Cat Park, the more traceable of the two, in 2022 the Department stated that the “GEC, working with the U.S. Embassy in The Hague, funded a grant to the Dutch studio Tilt to develop an interactive digital experience . . . that is both fun to play and useful for building media literacy skills.”[375]

The Department does not specify the funding amount, but an FY 2021 Notice of Funding Opportunity by U.S. Embassy the Hague which seems to correspond with the grant in question identifies the amount as \$275,000.[376] Neither the Department nor U.S. Embassy the Hague make the technical aspects of the GEC's funding contributions clear; however, given that the Department states the "GEC . . . funded [the] grant," one can assume this money ultimately came from the GEC.[377]

Regarding Harmony Square, in 2021 the Department stated that "[t]he GEC decided to partner with the Department of Homeland Security, the University of Cambridge, and DROG," an entity the Department identifies as "a small Dutch media company," "to develop a new game that would educate global internet users . . . about common political disinformation tactics." [378] Park Advisors, sometime during or after FY 2018, gave DROG a \$250,000 subaward.[379] Both Cat Park and Harmony Square are of about the same length and substance, [380] and Tilt worked on the development of both games,[381] so it is likely they cost around the same amount to produce. Thus, it is reasonable to assume, although not certain, that the GEC funded Harmony Square with \$250,000 filtered through Park Advisors and DROG.

One could raise concerns about the effectiveness[382] and political bent[383] of these games' content. The major problem, however, is their cost. For perspective, both games take around ten minutes to complete, involve mostly dialogue, and have simple, two-dimensional graphics with minimal animation. [384] While each has translations into multiple non-English languages (nine for Cat Park and eighteen for Harmony Square), the games' text and disinformation exercises are not intricate or detailed.[385]

\$525,000 is an excessive amount to spend on games this straightforward. For reference, Angry Birds, an extremely popular mobile game in which the player slingshots birds to destroy structures, comprising sixty-three playable levels cost ~€100,000 to produce.[386] Hollow Knight, an award-winning "action-adventure game" with many hours of playable content on release, had a ~\$43,000 budget.[387]



So, why did the GEC or its partners decide to spend so much money on Harmony Square and Cat Park, how did the developers spend that money, and why were the end results so bare-bones? This report cannot confirm Harmony Square and Cat Park did, in fact, cost \$525,000 total. However, if the analysis is correct, the GEC spent about as much producing these games as the “average American pays . . . in their lifetime” state and federal taxes.[388] One would be hard pressed to play these games and justify the value of this frivolous expenditure of taxpayer dollars.[389]

### Award to the Thomson Reuters Foundation

The Thomson Reuters Foundation, “established as the Reuters Foundation in 1982,” is the “corporate foundation of Thomson Reuters” and “an independent charity[] registered in the UK and the USA.”[390] It leverages “media, legal and data-driven expertise” to “bolster the resilience of independent media, strengthen access to the law and foster responsible business practices[.]”[391]

In response to Chinese “propaganda, disinformation, and information manipulation activities,” the GEC gave \$849,861, as well as a \$250,000 “[a]ward [e]xtension,” to the Thomson Reuters Foundation to “[r]educ[e] the malign use of legal systems and institutions to undermine media and information spaces in Kenya, South Africa, and Zambia” and “[r]educ[e] [the] effectiveness of, or opportunities for, foreign actors to use coercive and corrupting legal and economic tactics against [media practitioners]” in those countries.[392] While these goals sound lofty, in effect the GEC was funding projects like “[c]onduct[ing] one training in each target country for Editorial Guild member journalists on journalism ethics and newswire best practice.”[393] It is hard to believe that such meager activities actually diminish the influence of China in Africa.

Most concerning, however, the GEC’s monitoring and evaluation plan for the grant was composed entirely of output and outcome indicators like “[n]umber of people [a] newsletter [was] disseminated to” or “[p]ercentage . . . of participants who report intent to change behaviors around use of newswire

content,” rather than impact indicators evaluating reduction of Chinese influence.[394] In other words, the GEC spent hundreds of thousands of taxpayer dollars improving African journalists’ ethical and legal knowledge without any clear means of evaluating the extent to which that spending advanced America’s foreign policy objectives.

### ***Conclusion: GEC Oversight Recommendations for the 119th Congress***

This section has detailed GEC awards plagued by censorship, ideological bias, or inefficacy. The GEC may also be administering other troublesome awards. Future investigative work concerning the GEC’s awards should center on obtaining (a) a current and unredacted list of all the GEC’s awardees and subawardees; and (b) information about the activities the GEC funded through these awards and subawards. As noted above, at present only a redacted list of these awardees and subawardees has been made available, and such list extends only to FY 2023 – there may well be more GDIs, ISDs, and NewsGuards hidden among GEC award recipients.

Similarly, it has become a multi-year effort to obtain detailed information about the activities the GEC funded, and the Committee succeeded with respect to only a very limited number of awards. Obtaining a more holistic understanding of such activities is paramount to assessing the GEC’s impact on free speech and overall value to U.S. foreign policy.

## **VI. DRAG SHOWS IN ECUADOR: STATE DEPARTMENT USE OF TAXPAYER DOLLARS TO FUND CONTENTIOUS AGENDAS OVER CONSENSUS AMERICAN VALUES**

In September, 2022, the Bureau of Educational and Cultural Affairs (ECA) planned to provide \$20,600 to promote drag theatre in Cuenca, Ecuador through the U.S. Consulate in Guayaquil.[395] The State Department did not go through with the program after Congress applied significant pressure. ECA, overseen by the Under Secretary for Public Diplomacy and Public Affairs,

describes its mission as “increas[ing] mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchange that assist in the development of peaceful relations.”[396]

As a component of its educational and cultural exchange mission, ECA runs the American Spaces program, which aims promote American values and diversity to foreign audiences through the development of American cultural centers abroad.[397] Yet, despite the fact the drag is neither an American value nor a tenet of American diversity, the State Department considered it appropriate to send \$20,600 of the American taxpayers’ money to put on drag shows, including drag shows for children.

The grant for drag shows in Ecuador is exemplary of the State Department’s willingness to use grants to push a radical partisan agenda, at the expense of core American foreign policy interests. This section will describe:

- How Department intended to provide grant funds to promote drag in Ecuador.
- Concerns regarding the promotion of drag as a part of American cultural exchange.
- Department obfuscation of the grant’s programming.
- How funding drag shows harms core American foreign policy interests.

### ***Funding Drag in Ecuador***

The State Department program at issue was to be held at the Centro Ecuatoriano Norteamericano ‘Abraham Lincoln’ cultural center in Cuenca, Ecuador through the American Spaces Support Fund. [398] The American Space Support Fund supports the ECA’s American Spaces program.[399] According to documents reviewed by the Committee, the grant was designed to target children, teens, and young adults in an effort to raise awareness and tolerance towards LGBT communities[400] – a fact which the State Department acknowledged.[401]

The funding for this grant would have gone to the Centro Ecuatoriano Norteamericano ‘Abraham Lincoln,’ which intended to use a local theater, Dionisios Arte-Cultura-Identidad, for the drag program. Dionisios Arte-Cultura-Identidad prides itself on its drag theatre performances and LGBT activism.  
[402]

Daniel Moreno, the managing director of Dionisios Arte-Cultura-Identidad, incorporates stage performances into his productions which aim to use drama to explore the drag movement.[403] Mr. Moreno directed the short-film, “31 Trans,” which was scheduled to be screened at the program’s gender diversity workshop.[404] The film aims to promote the message of trans acceptance and increased rights and protections for trans people.[405] The film notably includes a line where a character seems to affirm that they have always been trans, which could have troubling implications if shown to impressionable minors.[406]

Drag is a type of performance where artists exaggerate femininity, masculinity, or other forms of gender expression, usually involving cross-dressing, for entertainment purposes. Drag performances and their promotion of LGBT causes are a divisive issue within the United States. According to a 2023 YouGov poll, 50 percent of Americans believed that drag shows should be restricted for kids under the age of 18.[407] In that same poll, 40 percent of Democrats and 58 percent of Republicans believed anyone under the age of 18 should not be permitted to attend a drag show.[408] Four states in the United States currently have laws in place restricting or banning drag shows.[409] Despite the lack of consensus support for drag shows, especially regarding the exposure of children and teenagers to drag, the State Department chose to promote drag as a part of American diplomacy abroad.

The drag program planned to have young participants, some as young as 8 years old,[410] engage in three workshops consisting of (1) an artistic workshop where participants would decorate full-face masks, which would be displayed in exhibits displayed at the program’s play showcases, (2) a gender

diversity workshop where a screening of the video “31 Trans” would be shown to participants, (3) and a drag make-up workshop where participants would have performed on a catwalk while wearing “transformative or fantasy art” costumes.[411] These workshops would have, for example, encouraged teenagers to actively engage in drag culture by doing catwalk performances in exotic costumes.[412] In this regard, the State Department was unable to explain how the implementing partners would ensure parental consent for the involvement of minors in programming of an inherently sexual nature.[413]

Every aspect of this grant programming reflects a serious misuse of American foreign assistance funding. The State Department reasoned that the drag show grant would promote tolerance for LGBT persons in Ecuador and would inspire LGBT Ecuadorians to express themselves more freely.[414] Further, the Department claimed this grant belonged to a larger \$900,000 effort to promote entrepreneurial and educational activities to assist marginalized communities in Ecuador.[415] Nevertheless, it is entirely inappropriate for the State Department to use funding meant to promote educational and cultural exchange and awareness to expose children to drag.

### ***Department Obfuscation of Drag Grant Programming***

In late 2022, after learning about the program, Fox News reached out to the Department regarding the grant.[416] In response to the Fox News inquiry, the Department did not indicate that children, teenagers, and young adults were the target audiences for the program.[417] The Department, instead, provided a vague and misleading description of the program.

In this regard, the Department stated merely that “artists in Cuenca will collaborate with a local theater company in implementing workshops, creating customized plays, and producing a documentary video,” failing to mention the program’s explicit content, sexual undertones, and involvement of minors.[418]

Nevertheless, documents obtained by the Committee detailed how kids, teenagers, and young adults were the intended participants for the program. [419] The Department's obfuscation of the nature of the programming to the American media aligns with the consistent stonewalling Congress faced in seeking more information regarding the drag show programming in Ecuador.

Indeed, the Department took every opportunity to obstruct Congressional requests for information into this program. On October 24, 2022, then-Ranking Member McCaul wrote a letter to the State Department requesting documents and information regarding the department's drag program.[420] The Department took approximately two months to respond, and in its response on December 20, 2022, the Department provided neither documents nor the opportunity for a briefing, preferring instead to state only that "the Department supports a wide range of strategic programs to advance U.S. interests abroad, including support for programs designed to end violence and discrimination." [421] The State Department asserted that this grant would merely "raise awareness about diversity, inclusion and human rights for all," and support a goal of "promot[ing] tolerance and respectful dialogue." [422] The letter notably leaves out any mention of the program's workshops and how the teenage and young-adult participants of the drag makeup workshop would proceed to do catwalk performances.[423] The State Department knew about the extent of the program's workshops since September 2022, and it knew that teenagers and young adults were the workshops' intended participants since October 2022.[424] The fact that the State Department neglected to acknowledge it in the December 2022 letter to Rep. McCaul indicates a lack of transparency on the part of the State Department.[425]

On January 17, 2023, after becoming Chair of the Committee, Chairman McCaul sent the State Department another letter, criticizing the Department's failure to respond to the October 24, 2022 request for information and requesting the Department respond to the Committee's inquiries by January 31, 2023.[426]

In response, the Department provided limited documents and failed to respond to inquiries requesting a breakdown of all department funding in FY21, FY22, and planned FY23 that relies on President Biden's February 4, 2021 memorandum in any way, or (2) a breakdown of all moneys expended by the department through the Global Equity Fund in FY21, FY22, and FY23.[427]

President Biden's February 4, 2021 memorandum, as described in a press release, asserted the President's direction for agencies tasked with providing foreign assistance to promote the human rights of LGBT communities.[428] In accordance with this memorandum, the State Department's Bureau of Democracy manages the Global Equity Fund, which provides resources to civil society organizations to amplify LGBT communities.

With access to the Global Equity Fund, DRL could fund small grants to embassies and consulates to promote LGBT organizations in the same manner in which the department sought to fund drag shows in Ecuador.[429] The State Department's inability to provide HFAC with a breakdown of the funding made in accordance with this memorandum, in addition to the State Department's failure to provide a breakdown of moneys expended by the department through the Global Equity Fund, demonstrates a lack of transparency which constrains Congress from ensuring taxpayer dollars are not being used to fund additional controversial causes overseas. It is troubling that the State Department has not disclosed to HFAC how it has managed moneys from this fund in its recent fiscal years, as it prevents Congress from ensuring that the department is not using this fund to promote extreme causes that are out of step with the American people. While the drag show grant in Ecuador was distinguished likely due to the public criticism by HFAC, the State Department needs to provide the committee with the requested documents so the committee can assure the American people that taxpayer dollars are not funding extreme causes.

## ***Pushing Controversial Policies is Counterproductive to U.S. diplomacy***

The Department's willingness to provide funding for drag shows in Ecuador reflects a broader pattern of the institution's counterproductive diplomatic practices. American taxpayer dollars appropriated to the Department by Congress for foreign aid should promote American interests, security, and power abroad.[430] Instead of advancing such interests through effective and efficient diplomacy, the grant for drag shows in Ecuador neither aligned with the culture of the city of implementation nor materially advanced American diplomatic interests.

Specifically, the drag show grant was designed to take place in Cuenca, Ecuador despite the city's distinctly conservative culture.[431] In a letter from the U.S. Consulate Guayaquil to the U.S. Embassy in Quito, Ecuador, the State Department observed that "LGBTIQ+ organizations, activities, and programs are quite limited," in Cuenca.[432] The letter also observed that "the best way to broach the subject was through theatre, film, and art," and that "teens and young adults" would be the participants of the program's workshops with the goal of having "four performances that promote empathy and respect." [433]

The State Department's acknowledgement of Cuenca's conservative climate underscores concerns that the Department is failing to appropriately take into consideration alignment with local cultures in developing grants programming. [434] During a Committee hearing with former Department leaders to examine the pervasive issues within the foreign aid grants process, former Director of the Office of Foreign Assistance Jim Richardson expressed that the design of a grants program unaligned with the culture of the intended implementing destination was not uncommon. Mr. Richardson further explained that when grants are at odds with local cultures the Department will effectively "alienate our partner countries, hamper development, and hinder U.S. strategic goals in the region." [435]



In addition to potentially inflaming relations with the host country, such grants are counterproductive to the broader United States goal of competing strategically with global adversaries and promoting American interests abroad. With this grant, the Department aimed to “have four performances that promote empathy and respect while combating stereotypes in the months of May and June 2023.”[436] Further, in the prepared response to Fox News, the State Department doubled down, claiming the grant for drag shows in Ecuador “will advance key U.S. values of diversity and the inclusion of LGBTQI+ communities as well as promote the acceptance of communities that are disproportionately affected by violence.”[437] Despite such claims, the Department failed to justify how the promotion of the values pertaining to drag shows contribute to the United States’ diplomatic or security interests.

Additionally, nothing in the documents produced by the Department suggest the grant makers considered the opportunity cost of such funding – could these thousands of dollars not have been better used to counter Chinese incursions in the Western Hemisphere or Russian diplomatic overtures to Latin American countries? Indeed, while the U.S. is putting on drag shows, China is investing in infrastructure like the deepwater port of Chancay, Peru, as a part of its Belt and Road Initiative.[438] While the U.S. is putting on drag shows, Russia is executing a strategic information campaign for influence in Latin America, culling favor with Latin American countries and undermining the United States in its own backyard.[439]

American foreign aid is being used by the State Department to export an agenda that does nothing to promote the United States’ strategic interests, leaving us poorly positioned to compete with adversaries who are strategically employing foreign assistance to expand their global foothold.[440] The Department’s inability to articulate how such grants funding helps the United States compete with its adversaries belies the systemic issue of the Department’s rudderless foreign aid grants program.

As the State Department has shown no reticence in using taxpayer dollars to fund controversial hyper-partisan policies, it is incumbent upon Congress to exercise its oversight and legislative powers to ensure American foreign aid is being used to secure prescient American interests abroad instead of funding values signaling. The next Congress should focus on (1) prohibiting the use of foreign assistance for the exportation of partisan agendas, (2) ensuring the State Department is strategically employing foreign aid in a manner aligned with the United States' geopolitical interests, (3) and legislating reform of the State Department's foreign assistance programs to prioritize the use of foreign aid to compete with great power adversaries on a global scale.

## VII. CONCLUSION

From supporting the proselytization of atheism in Nepal to funding drug shows in Ecuador or exacerbating the crisis at the Southern Border, the State Department has proven to be a poor steward of American taxpayer dollars. As these investigations have demonstrated, U.S. government funds are either In fact, the pattern of obstruction illustrated in this report suggests concerning levels of institutional incompetence or willful ignorance – there is no reason why the State Department should lack information regarding the implementing partners it is trusting with the care of American taxpayer dollars, or the activities being implemented with those dollars. The inability to provide such information to Congress, much less articulate the broader strategy under which these dollars are advancing concrete American interests is of significant concern. Accordingly, the 119th Congress should endeavor to shore up oversight of the State Department's grants and instate greater guardrails for the funding it appropriates to the institution.

As evidenced by HFAC Majority's findings in the investigation into the atheism grant in Nepal and the potentially illegal assistance to migrants in northern Mexico, the issues with implementing partners at the State Department at times run deeper than poor stewardship of foreign assistance funding.

In fact, it appears that, in line with the highlighted institutional bias towards the exportation of radical partisan ideology through U.S. foreign assistance, the State Department is designing and awarding grants that run afoul of the Constitution and other laws.

It is unacceptable that congressionally appropriated funds are being used to overstep the very laws Congress passed with the aim of using strategic aid to secure our interests abroad. In doing so, the Department jeopardizes the bipartisan support foreign assistance has long enjoyed and sets a precedent for a dangerous ratcheting up of partisanship in the sphere of foreign aid.

The Committee's work to ensure a full accounting of the State Department's implementing partners and the activities they conduct using U.S. funding does not end with the publishing of this report. Investigative efforts will continue through the 118th Congress and should be carried on by the 119th Congress. Hopefully, this analysis of the gravity of the shortcomings of the State Department's implementing partners prompts an internal re-evaluation and reform of the way the Department designs, awards, and evaluates its grants.

Should the Department persist in its pursuit of using foreign assistance to advance a radical partisan agenda, it then falls to the 119th Congress to utilize its legislative powers to mandate better stewardship of taxpayer dollars.

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## ENDNOTES

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[1] Money is Policy: Assessing Shortcomings in the State Department’s Foreign Assistance Grants Process: Hearing Before the Subcomm. on Oversight & Accountability of the H. Comm. on Foreign Affs., 118th Cong (2024) (written statement of Robert A. Destro, Fmr. Assistant Sec’y of State for Democracy, Hum. Rts., and Lab., U.S. Dep’t of State, at 2).

[2]

[3] Foreign assistance is “any tangible or intangible item provided by the United States Government to a foreign country or international organization under” any federal statute. See 22 U.S.C. § 2394(b)(1). Following the Marshall Plan’s implementation at the end of World War II, U.S. foreign assistance programs have become “an essential instrument of U.S. foreign policy”: among other benefits, they helped the United States win the Cold War and continue to play a key role in great power competition. Emily M. Moregenstern, Cong. Rsch. Serv., R40213, Foreign Assistance: An Introduction to U.S. Programs and Policy 1 (2022), <https://crsreports.congress.gov/product/pdf/R/R40213>; see Daniel F. Runde, Ctr. for Strategic & Int’l Stud., U.S. Foreign Assistance in the Age of Strategic Competition (2020), [https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/20514\\_Runde\\_ForeignAssistance\\_v3\\_FINAL.pdf](https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/20514_Runde_ForeignAssistance_v3_FINAL.pdf). The State Department is the second largest provider of U.S. government foreign assistance, trailing only USAID; for instance, in FY 2022, the Department disbursed over 21 billion dollars in foreign assistance. Foreign Assistance Data, ForeignAssistance.gov, <https://www.foreignassistance.gov/> (last visited Oct. 18, 2024). Key examples of Department foreign assistance programs include its Economic Support Fund (ESF) and the Bureau of Democracy, Human Rights, and Labor’s (DRL’s) Human Rights and Democracy Fund (HRDF). The ESF, administered by the Secretary of State, is effectively an emergency fund “to furnish assistance to countries and organizations” subject to “special economic, political, or security conditions.” 22 U.S.C. § 2346(a). The HRDF funds programs which protect human rights or promote democracy. 22 U.S.C. § 2151n-2(b). While foreign assistance is typically understood to include funding provided to foreign governments, this report considers only awards to non-governmental entities.

[4] The term “domestic assistance” refers to any Department financial assistance program which is not a foreign assistance program. For instance, a recent Department grant to U.S. higher education institutions to support study abroad programs and other exchange relationships with foreign universities constituted domestic assistance. See Off. of the Spokesperson, U.S. Department of State Awards 37 Grants to U.S. Colleges and Universities to Expand Study Abroad Opportunities for American Students, U.S. Dep’t of State (June 13, 2024), <https://www.state.gov/u-s-department-of-state-awards-37-grants-to-u-s-colleges-and-universities-to-expand-study-abroad-opportunities-for-american-students/>.

[5] The Department defines “financial assistance” to mean such assistance “to other nations, international organizations composed of member nations, other international or domestic non-profit organizations, institutions of higher learning, individual educators and students, or commercial organizations” where “the Department does not directly receive goods or services for funds disbursed, and the recipient will use the funds in activities that will support a public purpose involving U.S. foreign policy.” 4 Foreign Affairs Handbook-3 H-611. In this report, financial assistance programs may be referred to as “awards” and implementing partners as “awardees”. In the federal spending context, the term “awards” typically includes contracts (generally, agreements in which the Department does receive goods or services for funds disbursed); the Department’s contracts, however, are beyond the scope of this report. See, e.g., Agency Profile: Department of State (DOS), USAspending.gov, <https://www.usaspending.gov/agency/departement-of-state?fy=2024> (last visited Oct. 18, 2024).

[6] In addition to grants and cooperative agreements, financial assistance includes “loans, voluntary contributions, and insurance.” 4 Foreign Affairs Handbook-3 H-611.

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[7] The term “implementing partner” refers to the organization or other entity receiving the Department’s financial assistance, such as a grantee.

[8]Contra Unparalleled Leadership & Impact, Do You Really Know the Global Gag Rule?

1,<https://globalgagrule.org/wp-content/uploads/2017/04/Do-You-Really-Know-the-Global-Gag-Rule-FINAL.pdf>

(last visited Oct. 18, 2024) (asserting that, in the context of grants to organizations which conduct abortion, this argument fails because it “is discriminatory and selectively applied.”).

[9]Contra id. at 2 (asserting that, in the context of grants to organizations which conduct abortion, this argument fails because “[t]he U.S. government has a complicated vetting process coupled with very strict compliance requirements for recipients of foreign aid,” but also noting that congressional oversight is important in preventing such inappropriate spending).

[10]See Money is Policy: Assessing Shortcomings in the State Department’s Foreign Assistance Grants Process, supra note 1 (written statement of James Richardson, Fmr. Dir. of the Off. of Foreign Assistance, U.S. Dep’t of State, at 3).

[11]Id.

[12]Id.

[13]See Jason Leopold, USAID Records Detail Child Sex Crimes, Labor Abuse and Social Media Threats, Bloomberg (Aug. 23, 2024), <https://www.bloomberg.com/news/newsletters/2024-08-23/usaid-records-detail-child-labor-abuse-and-social-media-threats>.

[14] Unsurprisingly, USAID’s subsequent investigations into these organizations found that both had policies and procedures enabling this abuse. See id. It follows that careful vetting could have precluded the awards. USAID programs, while within the Committee’s oversight jurisdiction, are beyond the scope of this report; this example is included to demonstrate that implementing partners are not always transparent or accountable and that the selection of such partners can have disturbing consequences.

[15]See Email from HFAC Majority staff to U.S. Dep’t of State staff dated April 12, 2023 (“Many of the implementing partners are in the habit of publicly attacking or mocking Republicans and/or the views they hold. Their statements often distort, generalize, and/or vastly simplify whatever the relevant political issue or stance happens to be. . . . [Such] statements by the implementing partners jeopardize traditional bipartisan consensus regarding the legitimacy and importance of human rights work.”).

[16]See id. (asking the Department “to caution [its] implementing partners about the perils of publicly disparaging the views held by congressmen and women and many Americans that fund their work”).

[17]See Email from U.S. Dep’t of State staff to HFAC Majority staff dated May 15, 2023 (asserting that “implementing partners [we]re independent organizations with their own missions and strategic goals” and that, as a result, the Department “c[ould] only guarantee the mission and use of the Department’s grants as outlined in the [grants’ Congressional Notifications]”); see also Email from U.S. Dep’t of State staff to HFAC Majority staff dated June 22, 2023 (again refusing to caution implementing partners because the Department was “unable to write a letter that c[ould] easily be interpreted as restricting speech”).

[18]See Letter from Michael T. McCaul, Ranking Member, HFAC, et al. to U.S. Dep’t of State dated June 24, 2022; Letter from HFAC to U.S. Dep’t of State dated June 22, 2023 [hereinafter June 22, 2023, Letter].

[19]See June 22, 2023, Letter, supra note 17.

[20] In particular, the Department provided only Federal Assistance Award (FAA) forms for the grants at issue. FAA forms are very high level and generally include only minimal substantive information; as the Chairman described, they are “vague or indecipherable without additional context.” See June 22, 2023, Letter, supra note 17. It is important to note that the grant application and award process generates numerous detailed and expository documents (for instance, Statements of Work) which the Department could have produced instead or in addition.

[21]See June 22, 2023, Letter, supra note 17.

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[22] Once again, the Department produced only FAA forms. See Email from HFAC Majority staff to U.S. Dep't of State staff dated Jan. 9, 2024 [hereinafter Jan. 9, 2024, Email].

[23] See Jan. 9, 2024, Email, supra note 21.

[24] See Email from HFAC Majority staff to U.S. Dep't of State staff dated Apr. 10, 2024.

[25] 22 U.S.C. § 6401(a)(3).

[26] See, e.g., Letter from U.S. Dep't of State to HFAC dated Apr. 18, 2023 [hereinafter Apr. 18, 2023, Letter]; Letter from U.S. Dep't of State to HFAC dated Feb. 15, 2024 [hereinafter Feb. 15, 2024, Letter].

[27] Bureau of Democracy, Hum. Rts., & Lab., DRL FY20 IRF Promoting and Defending Religious Freedom Inclusive of Atheist, Humanist, Non-Practicing and Non-Affiliated Individuals, U.S. Dep't of State (Apr. 21, 2021), <https://www.state.gov/statements-of-interest-requests-for-proposals-and-notice-of-funding-opportunity/drl-fy20-irf-promoting-and-defending-religious-freedom-inclusive-of-atheist-humanist-non-practicing-and-non-affiliated-individuals/>.

[28] Email from U.S. Dep't of State staff to U.S. Dep't of State staff dated Apr. 22, 2021, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0000284 [hereinafter Apr. 22, 2021, Email]; Email from U.S. Dep't of State staff to U.S. Dep't of State staff dated July 14, 2021, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0001084 - 1086 [hereinafter July 14, 2021, Email].

[29] Humanists Int'l, Proposal Narrative / About Us at objective 2.2a, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0000891. The grant's Scope of Work also appeared to contemplate this training, listing as one of the grant's intended "[o]utcomes" that "[m]embers [would] increase their capacity to carry out advocacy, design and deliver clear development strategies while increasing and diversifying their membership network." DRL Scope of Work at outcome 2.2.1, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0000399.

[30] Email from Bureau of S. and Cent. Asian Affs. staff to U.S. Dep't of State staff dated July 22, 2021, 10:55 AM, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0001076 - 1077 [hereinafter July 22, 2021, 10:55 AM, Email].

[31] Email from U.S. Dep't of State staff to Bureau of S. and Cent. Asian Affs. staff dated July 22, 2021, 12:11 PM, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0001074 [hereinafter July 22, 2021, 12:11 PM, Email]; Email from U.S. Dep't of State staff to U.S. Dep't of State staff dated July 30, 2021, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0001071 [hereinafter July 30, 2021, Email].

[32] [Former Humanists Int'l Program Manager], Answers to US House Foreign Affairs Committee's (Majority) Questions for the Record Submitted by [Former Humanists Int'l Program Manager] 6 (2024) (on file with HFAC) [hereinafter Program Manager QFR #1].

[33] Id. at 6.

[34] Letter from U.S. Dep't of State to HFAC dated Apr. 29, 2024 [hereinafter Apr. 29, 2024, Letter].

[35] Id.

[36] U.S. Const., amend. I.

[37] See *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968).

[38] See, e.g., *Torcaso v. Watkins*, 367 U.S. 488, 495 n.11 (1961); *O'Connor v. California*, 855 F. Supp. 303, 308 (C.D. Cal. 1994).

[39] See *Epperson*, 393 U.S. at 104.

[40] 22 U.S.C. § 6401(a)(3), (6).

[41] 22 U.S.C. § 6401(a).

[42] See, e.g., Johnathan H. Turner & Alexandra Maryanski, *Functionalism* 21–26 (1979) (summarizing Émile Durkheim's functionalist argument that "religion provides a basis for the integration of society").

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[43]Office of International Religions Freedom, U.S. Dep’t of State, <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/office-of-international-religious-freedom/> (last visited Oct. 18, 2024).

[44] Technically, the NOFO at issue appears to have been a DRL program. Bureau of Democracy, Hum. Rts., & Lab., supra note 26 (labeling the NOFO as a DRL FY20 IRF program). However, DRL “provide[s] administrative and technical support to the IRF office in the implementation of [its] grants,” and the Department has clarified that the “NOFO [wa]s for a program designed and developed by the [IRF] and addresse[d] IRF policy priorities.” Transcribed Interview of Director & Principal Deputy to the Ambassador-at-Large Daniel Nadel, Mar. 28, 2024, at 120 (Unofficial) [hereinafter Nadel TI]; Apr. 18, 2023, Letter, supra note 25. Indeed, the NOFO had the purpose of “support[ing] Religious Freedom globally” and IRF staff played key roles in designing and implementing the grant. Bureau of Democracy, Hum. Rts., & Lab., supra note 26; see, e.g., Nadel TI, supra, at 25, 81–83 (describing the grant at issue as an “IRF grant[]” and noting that IRF staff were responsible for reviewing the grantee’s quarterly reports). We therefore consider the grant to be principally an IRF program.

[45]Bureau of Democracy, Hum. Rts., & Lab., supra note 26.

[46]Id. (emphasis omitted).

[47]Id.

[48] Letter from HFAC to U.S. Dep’t of State dated Feb. 1, 2023 [hereinafter Feb. 1, 2023, Letter].

[49] Apr. 22, 2021, Email, supra note 27; Bureau of Democracy, Hum. Rts., & Lab., supra note 27 (demonstrating that the Department published the NOFO on April 21, 2021).

[50] July 14, 2021, Email, supra note 27; Transcribed Interview of Ambassador-at-Large Rashad Hussain, Jan. 10, 2024, at 170–71 (Unofficial) [hereinafter Hussain TI].

[51] July 14, 2021, Email, supra note 27.

[52] 22 U.S.C. § 6401(a).

[53] Transcribed Interview of Senior Bureau Official Erin Barclay, Dec. 21, 2023, at 189 (Unofficial) [hereinafter Barclay TI] (answering, “No,” to the question, “Are you aware of any specific meetings, calls, or other engagements that occurred regarding the Establishment Clause in this particular context of this particular NOFO?”); Nadel TI, supra note 43, at 209 (“[T]he first I ever heard of Establishment Clause—of potential Establishment Clause concerns with this program was essentially when we started getting queries from HFAC, . . . probably [in] early 2023.”); Hussain TI, supra note 49, at 52 (answering, “I have not,” to the question, “[S]ave for the queries you received from Chairman McCaul and his staff, you have never heard any concerns expressed about this particular NOFO and the program that’s being carried out under it?”).

[54]See, e.g., Federal Assistance Award Coversheet for Award No. SLMAQM21GR3438, Amendment No. M001, signed by U.S. Dep’t of State on Jan. 12, 2023, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00012-0000001 - 8; Letter from Humanists Int’l, Inc. to U.S. Dep’t of State dated Dec. 20, 2022, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00012-0000126 - 127.

[55]About Humanists International, Humanists Int’l, <https://humanists.international/about/> (last visited Oct. 19, 2024).

[56]Join The Global Humanist Movement, Humanists Int’l, <https://humanists.international/join/> (last visited Oct. 19, 2024); What We Do, Humanists Int’l, <https://humanists.international/what-we-do/> (last visited Oct. 19, 2024).

[57]Our People, Humanists Int’l, <https://humanists.international/about/our-people/> (last visited Oct. 19, 2024).

[58]Humanism: FAQs, Humanists Int’l, <https://humanists.international/what-is-humanism/faqs/> (last visited Oct. 19, 2024).

[59]Id. (emphasis omitted).

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[60]See *Torcaso v. Watkins*, 367 U.S. 488, 495 n.11 (1961) (“Among religions in this country which do not teach what would generally be considered a belief in the existence of God are Buddhism, Taoism, Ethical Culture, Secular Humanism and others); John E. Smith, Humanism as a ‘Quasi-Religion,’ *Free Inquiry*, Fall 1996, at 17, 19–22 (arguing that humanism is “a quasi-religion”); Arthur Nilsson & John T. Jost, *Rediscovering Tomkins’ Polarity Theory: Humanism, Normativism, and the Psychological Basis of Left-Right Ideological Conflict in the U.S. and Sweden*, *PLOS ONE* 11–12 (July 31, 2020), <https://journals.plos.org/plosone/article/file?id=10.1371/journal.pone.0236627&type=printable> (concluding, after empirical study, that “[h]umanism was consistently associated with a more leftist (or liberal) self-placement in terms of general, social, and economic concerns”). Unsurprisingly, HI employees have expressed far-left sentiments on their social media accounts, for instance, attacking religion for its perceived effect on LGBT rights and calling for the promotion of DEI. Moreover, one of the Department’s program officers for the IDEAS grant was a board member of an organization focused on progressive race, gender, and sexuality-based identity politics. This ideological dovetailing is hard to ignore.

[61] Humanists Int’l, *Empowering Humanists: Building a Global Movement – Annual Report 2023* 1, 5 (2024), <https://humanists.international/resource/2023-annual-report/>.

[62]See Humanists Int’l, *Strategy 2018-2020: Updated 2020* 12–17 (2020), [https://humanists.international/wp-content/uploads/2019/06/strategies\\_leaflet-FINAL-2020-updated.pdf](https://humanists.international/wp-content/uploads/2019/06/strategies_leaflet-FINAL-2020-updated.pdf) (“Aim 1”: “We will have successful and sustainable member organisations in every part of the world. . . . We will . . . stimulate, encourage and foster new and emerging humanist and other relevant organisations”; “Aim 2”: “We will create a coordinated global movement by supporting and developing our network. . . . We will bring together organisations of all non-theistic traditions, and the individuals engaged in the work of those organisations, to share experiences and good practice. . . . We will increase the participation of young people in all our work”; “Aim 3”: “We will influence and shape international and regional government policies. . . . We will work in cooperation with other NGOs and mobilise our member organisations to lobby their governments in support of initiatives that advance our policies.”). The fourth aim concerns increasing the quantity of resources available to HI. See *id.* at 18–19.

[63]See, e.g., U.S. Department of State Award Provisions for Award No. SLMAQM21GR3438, Amendment No. M001, at provision no. 3, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00012-0000002; DRL Scope of Work, *supra* note 28, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00012-0000399 - 401.

[64] U.S. Department of State Award Provisions for Award No. SLMAQM21GR3438, Amendment No. M001, *supra* note 62, at provision no. 3.

[65]See Humanists Int’l, *Increasing Diversity, Equality, & Security in South Asia (IDEAS Program) Quarterly Progress Report No. 6* at § 3, objective 2 & annex 2 (2023), available at U.S. Dep’t of State Production to HFAC, STATE-2023-00012-0001787 - 1789, 1794 - 1795.

[66]Humanists Int’l, *supra* note 28, at objective 2.2a. The grant’s Scope of Work also appeared to contemplate this training, listing as one of the grant’s intended “[o]utcomes” that “[m]embers [would] increase their capacity to carry out advocacy, design and deliver clear development strategies while increasing and diversifying their membership network.” DRL Scope of Work, *supra* note 28, at outcome 2.2.1.

[67] Note that HI intended its member organizations to be the main participants in this training. Humanists Int’l, *supra* note 28, at objective 2.2 (“We will send a call-for-applications [for the training sessions] to all our contacts in the region via our mailing list, and we will ask our member organizations in the target countries to circulate it with their own membership. . . . The training sessions will be open to all individual activists who will apply, but priority will be given to activists who are part of (or have been referred by) our member organizations in the target countries.”). Therefore, the Department also funded the growth and recruitment capacity of HI itself.



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[68]See, e.g., Email from Bureau of S. and Cent. Asian Affs. staff to U.S. Dep't of State staff dated July 19, 2021, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0001081 - 1083 [hereinafter July 19, 2021, Email].

[69] July 22, 2021, 10:55 AM, Email, supra note 29.

[70]See, e.g., July 14, 2021, Email, supra note 27; July 19, 2021, Email, supra note 67; Email from Bureau of S. and Cent. Asian Affs. staff to U.S. Dep't of State staff dated July 22, 2021, 9:23 AM, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0001077; July 22, 2021, 10:55 AM, Email, supra note 29; July 30, 2021, Email, supra note 30.

[71] July 22, 2021, 12:11 PM, Email, supra note 30; July 30, 2021, Email, supra note 30.

[72]Humanists Int'l, Membership Engagement Training (2023) (Humanists Int'l Version), available at Humanists Int'l Production to HFAC, H-000429 - H-000531 [hereinafter Membership Engagement Training (HI Version)]. HI produced these slides to HFAC. Importantly, as explained below, there are two additional versions of the slides relevant here: (1) a version produced by the Department that HI doctored and that differs materially from the version produced by HI; and (2) a version produced by the Department that, to the Committee's knowledge, is the same or substantially the same as the version produced by HI but which also contains speaker's notes. See infra notes 91–106 and accompanying text; Humanists Int'l, CSO Engagement Training (2023) (Doctored U.S. Dep't of State Version), available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0001411 - 1441 [hereinafter Membership Engagement Training (Doctored Dep't Version)]; Humanists Int'l, Membership Engagement Training (2023) (U.S. Dep't of State Version), available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0001942 - 2046 [hereinafter Membership Engagement Training (Dep't Version)].

[73]Membership Engagement Training (HI Version), supra note 71, available at Humanists Int'l Production to HFAC, H-000453.

[74]Id., available at Humanists Int'l Production to HFAC, H-000462.

[75]Id., available at Humanists Int'l Production to HFAC, H-000475.

[76]Id., available at Humanists Int'l Production to HFAC, H-000486.

[77]Id., available at Humanists Int'l Production to HFAC, H-000498 (emphasis omitted).

[78]Membership Engagement Training (Dep't Version), supra note 71, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0001966, 1968; Membership Engagement Training (HI Version), supra note 71, available at Humanists Int'l Production to HFAC, H-000488.

[79]Membership Engagement Training (HI Version), supra note 71, available at Humanists Int'l Production to HFAC, H-000476, 477, 484.

[80]Humanists Int'l, Communications and Campaigning Training (2023) (Humanists Int'l Version), available at Humanists Int'l Production to HFAC, H-000335 - H-000428 [hereinafter Communications and Campaigning Training (HI Version)]. As in the case of the Membership Engagement Training slides, see supra note 71, HI produced the Communications and Campaigning Training slides to HFAC and there are two additional versions relevant here: (1) a version produced by the Department that HI doctored and that differs materially from the version produced by HI; and (2) a version produced by the Department that, to the Committee's knowledge, is the same or substantially the same as the version produced by HI but which also contains speaker's notes. See infra notes 91–106 and accompanying text; Humanists Int'l, Communications and Campaigning Training (2023) (Doctored U.S. Dep't of State Version), available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0001485 - 1571 [hereinafter Communications and Campaigning Training (Doctored Dep't Version)]; Humanists Int'l, Communications and Campaigning Training (2023) (U.S. Dep't of State Version), available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0002135 - 2230 [hereinafter Communications and Campaigning Training (Dep't Version)].

[81]Communications and Campaigning Training (HI Version), supra note 79, available at Humanists Int'l Production to HFAC, H-000341.

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[82]Id., available at Humanists Int'l Production to HFAC, H-000345.

[83]Id., available at Humanists Int'l Production to HFAC, H-000384.

[84] Id., available at Humanists Int'l Production to HFAC, H-000388.

[85]Id., available at Humanists Int'l Production to HFAC, H-000415.

[86]Id., available at Humanists Int'l Production to HFAC, H-000337 - 340.

[87]Id., available at Humanists Int'l Production to HFAC, H-000360.

[88]See Communications and Campaigning Training (Dep't Version), supra note 79, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0002186. The World Bank identifies Nepal's 2021 population as approximately 30.03 million. Population, Total - Nepal, World Bank Group, <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=NP> (last visited Oct. 23, 2023) (listing Nepal's 2021 population as 30,034,989). Thus, in context, HI was suggesting that through the recruitment funnel participants could obtain 2,000 paying members in Nepal.

[89]See Communications and Campaigning Training (Dep't Version), supra note 79, available at U.S. Dep't of State Production to HFAC, STATE-2023-00012-0002187.

[90]See Humanists Int'l, supra note 28, at objective 2.2a.

[91] In at least one instance, the grant did, in fact, result in the formation of a new humanist group and the expansion of HI. In a June 21, 2022, email to the Department, HI conveyed the "pleasant news" that "a group ha[d] formed entitled, 'Humanist Association of Sri Lanka' with the intent to: 1. collaborate with Humanists International on the IDEAS project . . . and; 2. formally join Humanists International as an affiliate." Email from Humanists Int'l staff to U.S. Dep't of State staff dated June 21, 2022, available at Humanists Int'l Production to HFAC, H-003029. While this exchange took place before the trainings at issue and was therefore not a result of those trainings, it nevertheless demonstrates that the grant succeeded in spreading humanism. In a response email, the Department appeared unconcerned with this result and simply noted how HI could designate the new organization as a subgrantee. Email from U.S. Dep't of State staff to Humanists Int'l staff dated June 21, 2022, available at Humanists Int'l Production to HFAC, H-003029.

[92]Program Manager QFR #1, supra note 31, at 6.

[93]See Transcribed Interview of Humanists Int'l, Inc. CEO Gary McLelland, May 22, 2024, at 59–60, 120–23 (Unofficial) [hereinafter McLelland T1]; Program Manager QFR #1, supra note 31, at 1–2.

[94]See Feb. 1, 2023, Letter, supra note 47.

[95]Program Manager QFR #1, supra note 31, at 6, 8.

[96]Id. at 6.

[97]Id.

[98]Id. at 8.

[99] Letter from HFAC to U.S. Dep't of State dated Aug. 3, 2023.

[100]Program Manager QFR #1, supra note 31, at 6.

[101]Membership Engagement Training (HI Version), supra note 71, available at Humanists Int'l Production to HFAC, H-000429; Membership Engagement Training (Doctored Dep't Version), supra note 71, available at U.S. Dep't of State Production to HFAC, STATE-2023-0001411.

[102]Membership Engagement Training (HI Version), supra note 71; Membership Engagement Training (Doctored Dep't Version), supra note 71.

[103]Communications and Campaigning Training (HI Version), supra note 79, available at Humanists Int'l Production to HFAC, H-000384 - 387; Communications and Campaigning Training (Doctored Dep't Version), supra note 79, available at U.S. Dep't of State Production to HFAC, STATE-2023-0001528 - 1530.

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[104]See McLelland TI, *supra* note 92, at 148–49, 151–52; Program Manager QFR #1, *supra* note 31, at 5–7. This is not the only instance of implementing partner dishonesty with respect to the grant programming: a Nepali humanist organization subgrantee also made factual misrepresentations to the committee. Specifically, the leader of that organization stated in conversation with committee staff that he was not aware of and did not participate in any of the Nepal trainings. In fact, the leader was present at the trainings. [Former Humanists Int’l Program Manager], [Former Humanists Int’l Program Manager]’s August 12, 2024, Answers to Supplemental Questions for the Record from US House Foreign Affairs Committee (Majority) at Question 7 response (2024) (on file with HFAC).

[105]See Feb. 15, 2024, Letter, *supra* note 25.

[106] McLelland TI, *supra* note 92, at 148; Apr. 29, 2024, Letter, *supra* note 33.

[107] Letter from Humanists Int’l, Inc. to HFAC dated May 13, 2024; McLelland TI, *supra* note 92, at 18; Membership Engagement Training (HI Version), *supra* note 71; Membership Engagement Training (Dep’t Version), *supra* note 71; Communications and Campaigning Training (HI Version), *supra* note 79; Communications and Campaigning Training (Dep’t Version), *supra* note 79.

[108]See, e.g., Hussain TI, *supra* note 49, at 98–99.

[109]See, e.g., Nadel TI, *supra* note 43, at 93–94; Hussain TI, *supra* note 49, at 13–19; Barclay TI, *supra* note 52, at 18–21.

[110]Assessing State Department Compliance with Oversight: Hearing Before the Subcomm. on Oversight & Accountability of the H. Comm. on Foreign Affs., 118th Cong. 1:32:39–1:32:58 (2024) (statement of Rep. Brian Mast, Chairman, Subcomm. on Oversight & Accountability), <https://www.youtube.com/watch?v=EW5S0ysnWe8>.

[111] Press Release, HFAC, McCaul Subpoenas State Department for Failure to Provide Documents on Grant Promoting Atheism Abroad (Aug. 15, 2024), <https://foreignaffairs.house.gov/press-release/mccaul-subpoenas-state-department-for-failure-to-provide-documents-on-grant-promoting-atheism-abroad/>.

[112] Letter from U.S. Dep’t of State to HFAC dated June 8, 2023.

[113] Hussain TI, *supra* note 49, at 101.

[114] Nadel TI, *supra* note 43, at 140.

[115]Assessing State Department Compliance with Oversight: Hearing Before the Subcomm. on Oversight & Accountability of the H. Comm. on Foreign Affs., 118th Cong. 1:31:49–1:33:08 (2024) (statement of Richard R. Verma, Deputy Sec’y of State for Mgmt. and Res., U.S. Dep’t of State), <https://www.youtube.com/watch?v=EW5S0ysnWe8>.

[116]See Apr. 18, 2023, Letter, *supra* note 25.

[117] Apr. 29, 2024, Letter, *supra* note 33.

[118]Program Manager QFR #1, *supra* note 31, at 6.

[119] Barclay TI, *supra* note 52, at 193.

[120] Nadel TI, *supra* note 43, at 86.

[121] Apr. 29, 2024, Letter, *supra* note 33.

[122]Id.

[123]See, e.g., *Zorach v. Clauson*, 343 U.S. 306, 312 (1952).

[124]U.S. Const., amend. I.

[125] *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968).

[126] 367 U.S. 488, 495 n.11 (1961). At least one lower court has acknowledged that atheism is also a religion under the Establishment Clause. See *O’Connor v. California*, 855 F. Supp. 303, 308 (C.D. Cal. 1994). Thus, while our analysis focuses primarily on HI’s humanist proselytization, it also applies to HI’s atheist proselytization.

[127]See *Torcaso*, 367 U.S. at 495.

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[128] The Supreme Court has explicitly held that “the [Establishment] Clause does absolutely prohibit government-financed or government-sponsored indoctrination into the beliefs of a particular religious faith.” *Grand Rapids Sch. Dist. v. Ball*, 473 U.S. 373, 385 (1985). But because the Court has overruled this holding in certain (unrelated) circumstances, see *Agostini v. Felton*, 521 U.S. 203 (1997), and because the Court has overruled the test for Establishment Clause violations under which *Grand Rapids School District* was decided, see *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507 (2022), this question is analyzed here pursuant to the Court’s new test.

[129] *Kennedy*, 597 U.S. at 535–36 (alterations in original) (quoting *Town of Greece v. Galloway*, 572 U.S. 565, 576, 577 (2014)).

[130] *Shurtleff v. City of Boston*, 596 U.S. 243, 281 (2022) (Gorsuch, J., concurring) (discussing *Everson*’s focus on historical analysis of the Establishment Clause favorably).

[131] 330 U.S. 1, 13 (1947).

[132] *Id.*

[133] *Id.* at 15.

[134] *Flast v. Cohen*, 392 U.S. 83, 103 (1968). Cf. *Shurtleff*, 596 U.S. at 285–86 (Gorsuch, J., concurring) (noting that the founders likely understood a government establishment of religion to include “the government provid[ing] financial support for the established church, often in a way that preferred the established denomination over other churches”); Kayla A. Toney & Stephanie N. Taub, *A Cord of Three Strands: How Kennedy v. Bremerton School District Changed Free Exercise, Establishment, and Free Speech Clause Doctrine*, *Federalist Soc’y Rev.* 17 (Mar. 9, 2023), <https://fedsoc-cms-public.s3.amazonaws.com/update/pdf/Y1XfWG2qpJH4SSFKq8WMggcEE9pRvZB0EQIk2Tlj.pdf> (highlighting that Justice Gorsuch’s *Shurtleff* concurrence “offer[s] guidance in applying a historical approach to Establishment Clause questions” post-*Kennedy*). Notably too, in the foreign assistance context, the Second Circuit has reasoned “that the [sic] Madison, Jefferson, or any of the supporters of the Establishment Clause would have abhorred—as much as a tax for the support of Christian teachers—the use of federal tax money for the support of foreign sectarian schools.” *Lamont v. Woods*, 948 F.2d 825, 837 (2d Cir. 1991).

[135] See *supra* text accompanying notes 42–90.

[136] See *supra* text accompanying notes 42–90.

[137] See *supra* text accompanying notes 42–90; *Flast*, 392 U.S. at 103; *Everson*, 330 U.S. at 13.

[138] *Nadel* *TI*, *supra* note 43, at 139–40.

[139] See U.S. Dep’t of State, *The Establishment Clause*, available at STATE-2023-00012-0000128 - 141.

[140] See, e.g., *What Are the Rules on Funding Religious Activity with Federal Money?*, U.S. Dep’t of Health & Hum. Servs., <https://www.hhs.gov/answers/grants-and-contracts/what-are-the-rules-on-funding-religious-activity-with-federal-money/index.html> (last visited Oct. 23, 2024).

[141] See International Religious Freedom Act of 1998, Pub. L. No. 105–292, 112 Stat. 2787 (codified as amended in scattered sections of 8 U.S.C., 22 U.S.C., and 50 U.S.C.); Frank R. Wolf International Religious Freedom Act, Pub. L. No. 114–281, 130 Stat. 1426 (2016) (codified in scattered sections of 22 U.S.C.); 22 U.S.C. ch. 73.

[142] Robert C. Blitt, *The Wolf Act Amendments to the U.S. International Religious Freedom Act: Breakthrough or Breakdown?*, 4 *J. L. & Pub. Affs.* 151, 153, 154, 199 (2019).

[143] 22 U.S.C. § 6401(b)(1).

[144] 22 U.S.C. § 6411(a), (c)(1)(A).

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[145] On a more granular level, in FY 2016, Congress earmarked \$10,000,000 FY 2016 HRDF funds “for international religious freedom programs[.]” Consolidated Appropriations Act, 2016, Pub. L. No. 114–113, § 7033(b)(1), 129 Stat. 2242, 2759 (2015). The Department obligated \$9,625,000 of this amount for FY 2017 spending. Congressional Notification 17-002 dated Jan. 3, 2017, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00012-0000508 - 512. Evidently, at least \$452,284 went unused, leading the Department, in FY 2021, “to formally reprogram these funds” for the NOFO at issue. Action Memo 20-108 for Acting Mariah Mercer dated May 24, 2023, at tab 1, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00012-0000156.

[146] Jeff Sagnip, U.S. Commission Reports on Global Violations of Religious Freedom – Smith: Recent Acts by Obama Admin. Undermine Religious Rights, U.S. Congressman Chris Smith: Representing New Jersey’s 4th District (May 1, 2009), <https://chrissmith.house.gov/news/documentsingle.aspx?DocumentID=124874>.

[147] Press Release, Jeff Beck, Smith Religious Freedom Bill Heads to President’s Desk (Dec. 13, 2016), <https://chrissmith.house.gov/news/documentsingle.aspx?DocumentID=399982>.

[148] Hussain TI, supra note 49, at 84, 85. This criticism is particularly poignant when one considers that the Wolf Act, authored by Chairman Smith, amended the IRFA to bring humanists and atheists within its scope (thus enabling international religious freedom grants to humanist and atheist organizations). Frank R. Wolf International Religious Freedom Act, Pub. L. No. 114–281, §§ 2(a)(1), (3)(A), 3(5), 130 Stat. 1426, 1426–27, 1428 (2016) (codified at 22 U.S.C. §§ 6401(a)(3), (6), 6402(16)(A)(iv), (B)).

[149] Hussain TI, supra note 49, at 85.

[150] 22 U.S.C. § 6401(b)(1).

[151] Specifically, the USCIRF’s 2022, 2023, and 2024 Annual Reports and the Department’s 2023, 2022, and 2021 Nepal International Religious Freedom Reports do not describe any persecution of atheists, humanists, or non-believers in Nepal. U.S. Comm’n on Int’l Religious Freedom, 2024 Annual Report (2024), <https://www.uscirtf.gov/sites/default/files/2024-05/USCIRF%202024%20Annual%20Report.pdf>; U.S. Comm’n on Int’l Religious Freedom, 2023 Annual Report (2023), <https://www.uscirtf.gov/sites/default/files/2024-01/AR%202023.pdf>; U.S. Comm’n on Int’l Religious Freedom, 2022 Annual Report (2022), <https://www.uscirtf.gov/sites/default/files/2022%20Annual%20Report.pdf>; U.S. Dep’t of State, Nepal 2023 International Religious Freedom Report (2024), <https://www.state.gov/wp-content/uploads/2024/04/547499-NEPAL-2023-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>; U.S. Dep’t of State, Nepal 2022 International Religious Freedom Report (2023), <https://www.state.gov/wp-content/uploads/2023/04/441219-NEPAL-2022-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>; U.S. Dep’t of State, Nepal 2021 International Religious Freedom Report (2022), <https://www.state.gov/wp-content/uploads/2022/05/NEPAL-2021-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>. The leader of a preeminent Nepali Humanist organization has also acknowledged that “[a] humanist movement has a very deep root in . . . Nepal. That’s why being humanist is not a difficult thing.” Humanists UK, Humanism in Nepal, Youtube (Sept. 11, 2019), <https://www.youtube.com/watch?v=OVzJwEwwtKJ>.

[152] See, e.g., Secretary Antony J. Blinken and Ambassador at Large for International Religious Freedom Rashad Hussain on the 2021 Report on International Religious Freedom, U.S. Dep’t of State (June 2, 2022), <https://www.state.gov/secretary-antony-j-blinken-and-ambassador-at-large-for-international-religious-freedom-rashad-hussain-on-the-2021-report-on-international-religious-freedom>; Secretary of State Michael R. Pompeo Keynote Address at the Ministerial to Advance Religious Freedom, U.S. Dep’t of State (July 18, 2019), <https://2017-2021.state.gov/secretary-of-state-michael-r-pompeo-keynote-address-at-the-ministerial-to-advance-religious-freedom/>.

[153] See, e.g., Blitt, supra note 141, at 154, 199.

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[154]From James Madison to Edward Everett, 19 March 1823, Founders Online, <https://founders.archives.gov/documents/Madison/04-03-02-0015> (last visited Oct. 23, 2024). Indeed, Chairman Smith has described efforts to pass the original IRFA as “pulling teeth.” Hussain TI, *supra* note 49, at 86.

[155] Camilo Montoya-Galvez, Migrants Cross U.S. Border in Record Numbers, Undeterred by Texas’ Razor Wire and Biden’s Policies, CBS News (Dec. 24, 2023), <https://www.cbsnews.com/news/record-number-migrant-border-crossings-december-2023/>; Nick Miroff, Maria Sacchetti & Sarah Frostenson, Trump vs. Biden on Immigration: 12 Charts Comparing U.S. Border Security, Wash. Post (Feb. 11, 2024), <https://www.washingtonpost.com/immigration/2024/02/11/trump-biden-immigration-border-compared/>.

[156] Miroff, Sacchetti & Frostenson, *supra* note 154.

[157] More specifically, there were ~300,000 illegal crossings in 2017, ~400,000 illegal crossings in 2018, ~800,000 illegal crossings in 2019, and ~400,000 illegal crossings in 2020. See Miroff, Sacchetti & Frostenson, *supra* note 154.

[158]See Bryan Baker & Robert Warren, Off. of Homeland Sec. Stat., Immigrant Population Residing in the United States: January 2018–January 2022 1, 4 (2024), [https://ohss.dhs.gov/sites/default/files/2024-06/2024\\_0418\\_ohss\\_estimates-of-the-unauthorized-immigrant-population-residing-in-the-united-states-january-2018%25E2%2580%2593january-2022.pdf](https://ohss.dhs.gov/sites/default/files/2024-06/2024_0418_ohss_estimates-of-the-unauthorized-immigrant-population-residing-in-the-united-states-january-2018%25E2%2580%2593january-2022.pdf). “This increase end[ed] a declining trend [in the number of persons living in America illegally] from January 2016 to January 2020 or 2021.” *Id.* at 1.

[159]Bureau of Population, Refugees, and Migration, U.S. Dep’t of State, <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/bureau-of-population-refugees-and-migration/> (last visited Oct. 16, 2024).

[160]Department of State Organization Chart, U.S. Dep’t of State (May 2024),

<https://www.state.gov/department-of-state-organization-chart/>; Julieta Valls Noyes, U.S. Dep’t of State (Oct. 4, 2024), <https://www.state.gov/biographies/julieta-valls-noyes/>.

[161]U.S. Dep’t of State, *supra* note 158.

[162]See Letter from HFAC to U.S. Dep’t of State dated Feb. 22, 2022.

[163]See Letter from HFAC to U.S. Dep’t of State dated Oct. 26, 2022; Letter from HFAC to U.S. Dep’t of State dated Jan. 13, 2023; Letter from HFAC to U.S. Dep’t of State dated Dec. 7, 2023.

[164]See Assessing State Department Compliance with Oversight: Hearing Before the Subcomm. on Oversight & Accountability of the H. Comm. on Foreign Affs., 118th Cong. (2024); Money is Policy, Part II: Analyzing Select State Department Grant Awards: Hearing Before the Subcomm. on Oversight & Accountability of the H. Comm. on Foreign Affs., 118th Cong. (2024).

[165]See Transcribed Interview of Assistant Secretary Julieta Valls Noyes, July 19, 2024 (Unofficial) [hereinafter Valls Noyes TI]; Transcribed Interview of Principal Deputy Assistant Secretary Marta Constanzo Youth, Feb. 5, 2024 (Unofficial) [hereinafter Constanzo Youth TI].

[166]See Email from HFAC Majority staff to U.S. Dep’t of State staff dated Aug. 1, 2023; Letter from U.S. Dep’t of State to HFAC dated Dec. 22, 2023.

[167] Letter from U.S. Dep’t of State to HFAC dated Jan. 12, 2023 [hereinafter Jan. 12, 2023, Letter].

[168]Id. Note that those sympathetic to illegal immigration use terms like ‘migrant’ or ‘undocumented immigrant’ to refer to persons who have illegally entered the U.S. See, e.g., Ben Fox, US Under Biden Will No Longer Call Migrants ‘Illegal Aliens,’ *Assoc. Press* (Apr. 19, 2021), <https://apnews.com/article/donald-trump-coronavirus-pandemic-immigration-7c8c0bad5dedb750c2aa7c1e9d8aa3cb>; Alex Nowrasteh, “Illegal Alien” Is One of Many Correct Legal Terms for “Illegal Immigrant,” *Cato Inst.* (Oct. 14, 2019), <https://www.cato.org/blog/illegal-alien-one-many-correct-legal-terms-illegal-immigrant>. This section uses the terms ‘illegal immigrant’ and ‘illegal alien’ when referring to such persons specifically but uses the term ‘migrant’ to describe transient Latin American persons in general.

[169]See Constanzo Youth TI, *supra* note 164, at 99.

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[170] Federal Assistance Award Coversheet for Award No. SPRMCO22VC0018, signed by U.S. Dep’t of State on Dec. 29, 2021, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00011-0000019; Miriam Bradley, *Protecting Civilians in War: The ICRC, UNHCR, and Their Limitations in Internal Armed Conflicts* 19 (2016).

[171] Resolution to Establish a Provisional Intergovernmental Committee for the Movement of Migrants from Europe, Dec. 5, 1951,

[https://governingbodies.iom.int/sites/g/files/tmzbd11421/files/council\\_document/0%20-%20Resolution%20to%20establish%20a%20Provisional%20Intergovernmental%20Committee%20for%20the%20Movement%20of%20Migrants%20from%20Europe%20%28headed%29.pdf](https://governingbodies.iom.int/sites/g/files/tmzbd11421/files/council_document/0%20-%20Resolution%20to%20establish%20a%20Provisional%20Intergovernmental%20Committee%20for%20the%20Movement%20of%20Migrants%20from%20Europe%20%28headed%29.pdf); IOM History, Int’l Org. for Migration, <https://www.iom.int/iom-history> (last visited Oct. 16, 2024).

[172] G.A. Res. 70/296 (Jul. 25, 2016); Int’l Org. for Migration, *supra* note 170.

[173] IOM Constitution, Int’l Org. for Migration, <https://www.iom.int/iom-constitution> (last visited Oct. 16, 2024).

[174] G.A. Res. 319 (IV) (Dec. 3, 1949).

[175] G.A. Res. 428 (V) (Dec. 14, 1950), ¶ 8.

[176] *Id.* ¶ 10.

[177] Jan. 12, 2023, Letter, *supra* note 166.

[178] Bureau of Population, Refugees, and Migration, Cash and Voucher Assistance, U.S. Dep’t of State, <https://www.state.gov/other-policy-issues/cash-and-voucher-assistance> (last visited Oct. 16, 2024).

[179] A voluntary contribution is a type of award the Department defines as “[d]iscretionary financial assistance provided to foreign countries, international societies, commissions, proceedings, or projects.” 4 Foreign Affairs Handbook-3 H-612.1, available at <https://fam.state.gov/FAM/04FAH03/04FAH030610.html>. They are subject to fewer restrictions than grants; for instance, in a letter to the committee, the Department explained that “[voluntary] contributions can be undirected so that the [awardee] can freely allocate them or directed for a specific project or country.” See Letter from U.S. Dep’t of State to HFAC dated Dec. 22, 2023 [hereinafter Dec. 22, 2023, Letter]. Evidently, this award to IOM was a voluntary contribution directed at the project level. See, e.g., Memorandum from PRM staff to PRM staff, Memorandum on Funding Decision: IOM’s Project Appeal for “Support Toward Self-Reliance for Asylum Seekers and Vulnerable Migrants at the Northern Border of Mexico” (Aug. 21, 2019), available at U.S. Dep’t of State Production to HFAC, STATE-2023-00011-0000194 - 202 [hereinafter PRM Memorandum].

[180] PRM Memorandum, *supra* note 178; Federal Assistance Award Coversheet for Award No. SPRMCO19VC0260, signed by U.S. Dep’t of State on Sept. 25, 2019, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00011-0000403; Federal Assistance Award Coversheet for Award No. SPRMCO19VC0260, Amendment No. M002, signed by U.S. Dep’t of State on May 28, 2021, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00011-0000478.

[181] The Department has explained that, in this context, “vulnerable” typically refers to groups like “people with disabilities, children, single mother[s], head[s] of households, [and] older people”—in other words, it is an expansive category. Valls Noyes TI, *supra* note 164, at 121.

[182] PRM Memorandum, *supra* note 178, at 2–3.

[183] Dec. 22, 2023, Letter, *supra* note 178.

[184] Constanzo Youth TI, *supra* note 164, at 137.

[185] Email from Department staff to HFAC Majority staff dated Aug. 14, 2024.

[186] Email from Department staff to HFAC Majority staff dated June 6, 2023; Dec. 22, 2023, Letter, *supra* note 178. In other words, “[w]ith respect to PRM contributions to the UNHCR Mexico operation and the UNHCR Americas Bureau, PRM directs its funding to the operational level and the regional level (for use in any operation within the Americas region) respectively, but PRM does not direct this voluntary contribution down to the activity level.” Dec. 22, 2023, Letter, *supra* note 178.

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[187] Valls Noyes TI, supra note 164, at 122.

[188] Constanzo Youth TI, supra note 164, at 137, 141.

[189] PRM Memorandum, supra note 178, at 3 (stating that IOM's E-Vouchers "automatically limited" purchases and were "monitored remotely"); Constanzo Youth TI transcript, supra note 164, at 137 (stating that UNCHR's cash vouchers "can be used at certain stores and locations").

[190] See Valls Noyes TI, supra note 164, at 121–23; Constanzo Youth TI, supra note 164, at 137–39.

[191] For instance, as referenced above, in a December 22, 2023, letter, the Department discussed a "\$13.5 million" award to IOM which included CVA funding. See Dec. 22, 2023, Letter, supra note 178. However, it never described the details of or produced documents regarding this award.

[192] See, e.g., PRM Memorandum, supra note 178. Many migrants rely on word-of-mouth advice when determining whether and how to journey northward. See, e.g., Tracy Wilkinson, Central American Migrants Are on a Word-of-Mouth Exodus to the U.S., L.A. Times (June 21, 2014), <https://www.latimes.com/world/mexico-americas/la-fg-mexico-migrants-20140621-story.html> ("Asked why they would take [the] risks [involved with migration], . . . many [migrants] acknowledge having been told—by friends, relatives, even aid workers and, of course, the coyotes, or smugglers—that it can be easier these days to cross into the United States and stay, especially if you are carting kids."); Inside the World of Misinformation Targeting Migrants on Social Media, Tech Transparency Project (July 26, 2022), <https://www.techtransparencyproject.org/articles/inside-world-misinformation-targeting-migrants-social-media> ("Almost 70% of migrants say they regularly get information from Facebook, more than any source other than word-of-mouth. . . . When asked which source of information they trusted the most, [migrants stated that] word of mouth came first."); Top 10 Migration Issues of 2023, Migration Pol'y Inst., <https://www.migrationpolicy.org/programs/migration-information-source/top-10-migration-issues-2023> (last visited Oct. 16, 2024) ("Migrants have always used word-of-mouth networks, social connections, and news reports to inform their travels.").

[193] Asylum, U.S. Citizenship & Immigr. Servs., <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum> (Sept. 4, 2024); Refugees, U.S. Citizenship & Immigr. Servs., <https://www.uscis.gov/humanitarian/refugees-and-asylum/refugees> (June 21, 2024).

[194] Valls Noyes TI, supra note 164, at 120–23; Money is Policy, Part II: Analyzing Select State Department Grant Awards: Hearing Before the Subcomm. on Oversight & Accountability of the H. Comm. on Foreign Affs., 118th Cong. 84 (2024) (statement of Julieta Valls Noyes, Assistant Sec'y of State, U.S. Dep't of State) (Unofficial Transcript) [hereinafter Sept. 19, 2024, Unofficial Hearing Transcript].

[195] Valls Noyes TI, supra note 164, at 120; Sept. 19, 2024, Unofficial Hearing Transcript, supra note 193, at 84 (statement of Julieta Valls Noyes, Assistant Sec'y of State, U.S. Dep't of State).

[196] See, e.g., Uneasy Neighbors: A Brief History of Mexican-U.S. Migration, Harv. Mag (May-June 2007), <https://www.harvardmagazine.com/2007/05/uneasy-neighbors-a-brief.html>; James O. Finckenaue, Joseph R. Fuentes & George L. Ward, Nat'l Inst. of Just., Mexico and the United States: Neighbors Confront Drug Trafficking (2001), <https://www.ojp.gov/pdffiles1/nij/218561.pdf>; Ioan Grillo, Mexican Cartels: A Century of Defying U.S. Drug Policy, 20 Brown J. World Affs. 253 (2013); U.S. Drug Enforcement Agency, DEA-DCT-DIR-065-15, United States: Areas of Influence of Major Mexican Transnational Criminal Organizations (2015), <https://www.dea.gov/sites/default/files/2018-07/dir06515.pdf>.

[197] Hebrew Immigrant Aid Soc'y, <https://hias.org/> (last visited Oct. 16, 2024).

[198] Who We Are, Hebrew Immigrant Aid Soc'y, <https://hias.org/who/> (last visited Oct. 16, 2024).

[199] Hebrew Immigrant Aid Soc'y, supra note 196.

[200] Naomi Steinberg, On Immigration, 'Deterrence Only' Is Not the Answer, Hebrew Immigrant Aid Soc'y (Sept. 11, 2024), <https://hias.org/news/immigration-deterrence-only-not-answer/>.

[201] Naomi Steinberg, On Immigration, 'Deterrence Only' Is Not the Answer, Hebrew Immigrant Aid Soc'y (Sept. 11, 2024), <https://hias.org/news/immigration-deterrence-only-not-answer/>. In other words, even Vice President Harris is not liberal enough on immigration for HIAS.



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- [202] Beverly Goldberg, Helping LGBTQ People Thrive in Ecuador, Hebrew Immigrant Aid Soc’y (Sept. 1, 2023), <https://hias.org/news/supporting-lgbtq-people-thrive-ecuador/>.
- [203] HIAS Mexico (@hiasmexico), Instagram (Mar. 18, 2024), [https://instagram.com/p/C4qmvqbPN1v/?img\\_index=1](https://instagram.com/p/C4qmvqbPN1v/?img_index=1).
- [204] HIAS Mexico (@hiasmexico), Instagram (Apr. 16, 2024), <https://instagram.com/p/C51ApEelxM/>.
- [205] HIAS Mexico (@hiasmexico), Instagram (Mar. 22, 2024), [https://instagram.com/p/C404QDlrKd3/?img\\_index=1](https://instagram.com/p/C404QDlrKd3/?img_index=1). Note that HIAS Mexico uses the former term here to include LGBTQ rights. See *id.* The latter term is often a veiled reference to abortion. See *infra* notes 227–229 and accompanying text. Indeed, HIAS Mexico construes the ability to ‘decide freely’ about one’s reproductive life as a reproductive right. See HIAS Mexico, *supra*.
- [206] Provide Legal Support, Hebrew Immigrant Aid Soc’y, <https://hias.org/what/provide-legal-support/> (last visited Oct. 16, 2024).
- [207] Jan. 12, 2023, Letter, *supra* note 166.
- [208] Letter from HFAC to State dated 26 Dec. 2022.
- [209] Letter from State to HFAC dated 12 Jan. 2023, at 3 (emphasis added).
- [210] Letter from State to HFAC dated 12 Jan. 2023, at 4 (emphasis added).
- [211] Email from State to HFAC dated 6 June 2023, at 4 (emphases added).
- [212] Letter from State to HFAC dated 22 Dec. 2023, at 6 (emphasis added).
- [213] Letter from State to HFAC dated 22 Dec. 2023, at 7 (emphasis added).
- [214] HIAS Asylum Presentation, at 1.
- [215] Hebrew Immigrant Aid Soc’y, Information for People Who Wish to Enter the US to Request Asylum (2023) (on file with HFAC) (Translated from Spanish to English) [hereinafter HIAS Presentation].
- [216] See HIAS Presentation, *supra* note 214, at slide 6.
- [217] See *id.* at slides 9–10.
- [218] See *id.*
- [219] See *id.* at slide 10. Specifically, the translation reads: “If you are considering applying for asylum in the United States but your case does not meet the eligibility requirements established by US law, remember that each case is unique, so it is essential to have appropriate advice to make informed decisions.” See *id.*
- [220] See *id.* at slides 17–19.
- [221] See Valls Noyes TI, *supra* note 164, at 25–26; Constanzo Youth TI, *supra* note 164, at 102.
- [222] Constanzo Youth TI, *supra* note 164, at 107.
- [223] Legal Support in the U.S., Hebrew Immigrant Aid Soc’y, <https://hias.org/legal-support-in-the-us/> (last visited Oct. 16, 2024).
- [224] There is also evidence that HIAS helped migrants receive abortions. In an Instagram post advertising its ability to give migrants sexual and reproductive services information, HIAS Mexico stated, ‘we want to accompany you on your journey.’ See HIAS Mexico (@hiasmexico), Instagram (Feb. 28, 2024), [https://instagram.com/p/C35cSJROUMC/?img\\_index=2](https://instagram.com/p/C35cSJROUMC/?img_index=2). While this phrase seems innocuous, HIAS used the term “acompañarte” to mean ‘accompany.’ See *id.* In the context of abortions in Latin America, ‘acompañante,’ translated as ‘accompanists,’ are “volunteer community-based activist[s]” who “provi[de] . . . medication for abortion outside clinical settings.” Alhelí Calderón-Villarreal et al., What Can the US Learn from Latin America About Contested Abortion Care, *PLOS Glob. Pub. Health* 2 (May 22, 2023), <https://journals.plos.org/globalpublichealth/article?id=10.1371/journal.pgph.0001922>. Thus, HIAS may have been indicating that it could assist migrants with abortions.
- [225] 22 U.S.C. §2151b(f)(1); Luisa Blanchfield, Cong. Rsch. Serv., IF12235, Abortion Funding Restrictions in Foreign Assistance Legislation (2024), <https://crsreports.congress.gov/product/pdf/IF/IF12235>.

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[226]E.g., Consolidated Appropriations Act, 2022, Pub. L. 117–103, div. K, tit. III, 136 Stat. 49, 576–77; see Luisa Blanchfield, Cong. Rsch. Serv., R41360, Abortion and Family Planning-Related Provisions in U.S. Foreign Assistance Law and Policy 8 (2022), <https://sgp.fas.org/crs/row/R41360.pdf>.

[227]See div. K, tit. III, 136 Stat. at 577.

[228] Regional Office for the Americas, Migration Health, Int’l Org. for Migration, <https://americas.iom.int/en/migration-health> (last visited Oct. 16, 2024).

[229] International Conference on Population and Development, Report of the International Conference on Population and Development, at 40, U.N. Doc. A/CONF.171/13/Rev.1 (1995); see, e.g., U.N. Dep’t of Econ. and Soc. Affs., Population Div., Abortion Policies and Reproductive Health Around the World, at 2, U.N. Doc. ST/ESA/Ser.A/343, U.N. Sales No. E.14.XIII.1 1 (2014) (using this definition as the official definition of ‘reproductive health’ in a United Nations report). In at least one instance, IOM itself has included “comprehensive abortion care” within its definition of ‘Sexual and Reproductive Health and Rights.’ Int’l Organization for Migration, Sexual and Reproductive Health and Rights (SRHR), Human Immunodeficiency Virus (HIV) and Migration: Programme Framework for East and Horn of Africa and Southern Africa 2023–2027, at ix (2023), [https://ropretoria.iom.int/sites/g/files/tmzbd1691/files/documents/2023-11/iom-esa-migration-srhr-programme-framework-2023\\_website.pdf](https://ropretoria.iom.int/sites/g/files/tmzbd1691/files/documents/2023-11/iom-esa-migration-srhr-programme-framework-2023_website.pdf).

[230] Natalie Kitroeff & Oscar Lopez, Abortion is No Longer a Crime in Mexico. But Will Doctors Object?, <https://www.nytimes.com/2021/09/13/world/americas/mexico-abortion-objectors.html> (Oct. 6, 2021).

[231] Int’l Org. for Migration, U.S.–IOM Cooperation in Mexico, at slide 24 (2023) (on file with HFAC).

[232] Int’l Org. for Migration, Mapa de Servicios de Mujeres Embarazadas de Mexicali, <https://mexico.iom.int/sites/g/files/tmzbd1686/files/documents/2024-01/mapa-mujeres-emb-mexicali-color-final-3-oct.pdf> (last visited Oct. 16, 2024).

[233]Id.

[234] Secretaría de Salud & Centro Nacional de Equidad de Género y Salud Reproductiva, Servicios de Aborto Seguro en los Servicios Estatales de Salud (2024), [https://drive.google.com/file/d/1cbnuYIMO\\_3RAo4EhgsyqGai4QgraSpo7/view](https://drive.google.com/file/d/1cbnuYIMO_3RAo4EhgsyqGai4QgraSpo7/view).

[235] Int’l Org. for Migration, Directorio de Servicios Gratuitos para Personas Migrantes, Refugiadas, Desplazadas y Retornadas en Tijuana (2023), [https://mexico.iom.int/sites/g/files/tmzbd1686/files/documents/2023-09/ficha-de-servicios\\_tijuana\\_2023.08\\_esp.pdf](https://mexico.iom.int/sites/g/files/tmzbd1686/files/documents/2023-09/ficha-de-servicios_tijuana_2023.08_esp.pdf).

[236] Nuestra Clínica, Refugee Health Alliance, <https://www.refugeehealthalliance.org/es/our-clinics> (last visited Oct. 16, 2024).

[237] Sept. 19, 2024, Unofficial Hearing Transcript, supra note 193, at 62.

[238] Valls Noyes TI, supra note 164, at 130.

[239] Valls Noyes TI, supra note 164, at 128–29.

[240] Int’l Org. for Migration, supra note 230, at slide 24.

[241] See Int’l Org. for Migration, supra note 231; Secretaría en Salud & Centro Nacional de Equidad de Género y Salud Reproductiva, supra note 233.

[242] See 22 U.S.C. §2151b(f)(1).

[243] To clarify, with respect to the law, this fungibility concern does not implicate a Helms Amendment violation. See, e.g., *Ctr. for Reprod. L. & Pol’y v. Bush*, 304 F.3d 183, 187 (2d Cir. 2002) (“[Section 2151b(f)(1)] applies only to the use of U.S. government funds; foreign NGOs receiving assistance may still promote abortion with non-U.S. government funds without violating the terms of the statute.”). In the real world, however, any support for an organization that promotes abortion is de facto support for abortion. Cf. Blanchfield, supra note 225, at 10–12 (discussing how President Reagan and subsequent Republican presidents disallowed, in varying degrees, foreign assistance funding for organizations which “perform[ed] or actively promote[d] abortion”).

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[244] Alejandro Moreno, Derecho al Aborto Divide al País: 53% en Contra; 45% a Favor, *El Financiero* (Sept. 8, 2021), <https://www.elfinanciero.com.mx/nacional/2021/09/08/derecho-al-aborto-divide-al-pais-53-en-contra-45-a-favor/>.

[245] Janell Fetterolf & Laura Clancy, Support for Legal Abortion Is Widespread in Many Places, Especially in Europe, *Pew Rsch. Ctr.* (May 15, 2024), <https://www.pewresearch.org/short-reads/2024/05/15/support-for-legal-abortion-is-widespread-in-many-countries-especially-in-europe/>.

[246] See, e.g., Megan Hogan, Trump v. Harris on Immigration: Future Policy Proposals, *Peterson Inst. for Int'l Economics* (Sept. 9, 2024), <https://www.piie.com/blogs/realtime-economics/2024/trump-vs-harris-immigration-future-policy-proposals>.

[247] Sept. 19, 2024, Unofficial Hearing Transcript, *supra* note 193, at 35–36.

[248] In other words, with respect to point (2), the next Congress should scrutinize all instances of legal aid for migrants, even if the Department claims such aid pertains only to the Mexican legal system.

[249] U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/bureau-of-democracy-human-rights-and-labor/> (last visited Sept. 19, 2024).

[250] Economic Support Fund, 22 U.S.C. § 2346 (1985); Human Rights and Democracy Fund, 22 U.S.C. § 2151n-2 (2002).

[251] *Id.* § 2151n-2(b).

[252] CN 22-136, at 1.

[253] CN 22-136 (originally numbered CN 22-102). Note that HRDF received \$164.6 million from Congress and ESF received \$45.8 million.

[254] Letter from Ranking Member Michael T. McCaul to Acting Assistant Sec'y of St. Lisa Peterson (June 24, 2022) (on file with H. Foreign Affs. Comm.).

[255] U.S. H. Foreign Affs. Comm., Investigation Into U.S. Dep't of State Congressional Notification 22-136: Status of Requests for Information 1 (2024).

[256] For example, a recent production to the Committee included a 251-page audit of the entire Commonwealth of Virginia, presented presumably as evidence of the fiscal health of grant recipient George Mason University. Commonwealth of Va. Single Audit Rep. (Jun. 30, 2022).

[257] Letter from Michael T. McCaul, Chairman, H. Foreign Affs. Comm., to Erin Barclay, Acting Assistant, Bureau of Democracy, Human Rights, and Labor (Jun. 22, 2023).

[258] *Id.*

[259] *Id.*

[260] *Id.*

[261] U.S. H. Foreign Affs. Comm., Investigation into U.S. Dep't of State Congressional Notification 22-136: Status of Requests for Information 2 (2024).

[262] *Id.*

[263] *Id.*

[264] *Id.*

[265] *Id.*

[266] U.S. H. Foreign Affs. Comm., Investigation into U.S. Dep't of State Congressional Notification 22-136: Status of Requests for Information 3 (2024).

[267] Letter from Naz Durakoglu, Assistant Sec'y, Bureau of Leg. Affs., to Michael T. McCaul, Chairman, H. Foreign Affs. Comm. (Sept. 11, 2024) (on file with H. Foreign Affs. Comm.).

[268] Action Memorandum from the Dep't of State on their Request for Approval of 10 FY 2021 HRDF and ESF Africa Programs Cost Amendments Tab 5 (Dec. 10, 2021) (description of C4ADS Cost Amendment).

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[269]Id. at Tab 7 (description of Freedom House Cost Amendment).

[270] Id. at Tab 5 (description of C4ADS Cost Amendment).

[271]Id. at Tab 7 (description of Freedom House Cost Amendment).

[272] U.S. Dep’t of State, Federal Assistance Award for the International Center for Journalists 1 (Aug. 23, 2022).

[273] Digital Defenders Partnership, Quarterly Report April – June 2022 6-7.

[274] OCCRP, Our Team, <https://www.occrp.org/en/about-us/staff> (last visited Sept. 26, 2024).

[275]Dep’t of State Bureau of Democracy, Human Rights, and Labor, Global Projects Internal Risk Assessment Form for the Karuna Center for Peacebuilding 1 (Aug. 11, 2022); Id. at 7.

[276] About the Protecting Our Communities Initiative, Karuna Center for Peacebuilding, <https://karunacenter.org/project/nigeria-protecting-our-communities/> (last visited Sept. 19, 2024).

[277]U.S. Dep’t of State, Congressional Notification 22-136 for DRL Human Rights and Democracy Programs (May 31, 2022). .

[278]U.S. Dep’t of State, Congressional Notification 22-136 for DRL Human Rights and Democracy Programs, Marginalized Populations (May 31, 2022) (explaining the Department’s intention to obligate \$16 million to “uphold the dignity of people who are systematically denied the ability to exercise their human rights and fundamental freedoms”); Transitional Justice.

[279]U.S. Dep’t of State, Congressional Notification 22-136 for DRL Human Rights and Democracy Programs, Transitional Justice (May 31, 2022) (explaining the Department’s intention to obligate \$20 million to Transitional Justice initiatives).

[280]U.S. Dep’t of State, Congressional Notification 22-136 for DRL Human Rights and Democracy Programs, (May 31, 2022). . The U.S. Strategy on Women, Peace, and is a State Department policy initiative to “prioritize gender-responsive policies” and “strengthen the institutionalization of comprehensive gender analyses and improve gender equality outcomes.” Press Release, The White House, FACT SHEET: Release of the 2023 Women, Peace, and Security Strategy and National Action Plan (Oct. 31, 2023) <https://www.whitehouse.gov/briefing-room/statements-releases/2023/10/31/fact-sheet-release-of-the-2023-women-peace-and-security-strategy-and-national-action-plan/>.

[281] Disability Rights Fund, Introduction to the DRF/DRAF Gender Guidelines Implementation Plan 4 (2022) (describing the organization’s objectives).

[282]Id. at 6 (describing programmatic areas of focus). Reproductive justice is a term coined by the Women of African Descent for Reproductive Justice, an abortion-rights activist group founded in the nineties on the principle that “the women’s rights movement, led by and representing middle class and wealthy white women, could not defend the needs of women of color and other marginalized women and trans\* people.” SisterSong, Reproductive Justice, <https://www.sistersong.net/reproductive-justice> (last visited Sept. 24, 2024).

[283]Dep’t of State, Federal Assistance Award for Instituto de Tecnologia e Sociedade 1 (Sep. 21, 2022) (DBA “ITS Rio”).

[284] ITS Rio, Keep the Internet Open, <https://itsrio.org/en/institutional/#equipe> (last visited Sept. 24, 2024).

[285] Samantha Pearson and Alexa Corse, X Can Resume Operations in Brazil After Paying Millions in Fines, Wall St. J. (Oct. 8, 2024, 5:14 PM), <https://www.wsj.com/tech/x-can-resume-operations-in-brazil-after-paying-millions-in-fines-91d35271?page=1>.

[286]See, e.g., Ministerio da Agricultura e Pecuaria, At COSBAN, minister Favaro highlights strong Brazil-China trade relations (Jun. 6, 2024) <https://www.gov.br/agricultura/en/news/at-cosban-minister-favaro-highlights-strong-brazil-china-trade-relations> (“China is one of the main destinations for Brazilian agricultural exports. President Lula is committed to strengthening these ties”); see also Rosatom to Supply Uranium Products for Brazil’s Angra Plant, World Nuclear News (Dec. 7, 2022), <https://www.world-nuclear-news.org/Articles/Rosatom-says-to-supply-uranium-products-for-Brazil> (“The contract was the result of an open international tender... and it is ‘the first long-term contract with Brazil for the supply of enriched uranium products’ for Russia”).

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[287] Internews Network, Combatting Online Gender-Based Violence in the East Asia and Pacific Region SEE TFGBV Budget Narrative 5 (Aug. 29, 2022) (“FemLINK will be the primary Country Partner in Fiji. They will work with a coalition to collect data for the TFGBV monitoring tool and lead reporting and advocacy efforts in the community”).

[288] femLINKpacific, Our Mission & Vision, <https://www.femlinkpacific.org.fj/what-we-do> (last visited Sept. 24, 2024).

[289] Internews Network, Technical Application for SEE TFGBV Attachment 7: Gender Analysis 34 (Aug. 26, 2022).

[290] Dep’t of State, Federal Assistance Award for International Republican Institute 1 (Sep. 28, 2022). IRI received such funding as part of the Promoting Accountability, Inclusivity, and Resiliency Support Program, an ongoing collaboration between DRL and a select group of NGOs. Although IRI provides evidence of the projects toward which federal funding was allocated, the organization only commits to broad, nondescript human rights goals for new projects. See, e.g., International Republican Institute, Promoting Accountability, Inclusivity, and Resiliency Support Program V Program Narrative 11 (2022) (“IRI will assist civil society to advance inclusivity by... using data to demonstrate desirability of the outcomes of greater inclusion;” “IRI will also work with civic and government stakeholders to... encourage healing of social clefs.”)

[291] International Republican Institute, Promoting Accountability, Inclusivity, and Resiliency Support Program V Program Narrative 12 (2022) (description of Laos initiative to complement DRL’s priority area “support civic engagement by LGBTQI+ groups through small grants”).

[292] International Republican Institute, About IRI, <https://www.iri.org/about-iri/> (last visited Oct. 1, 2024).

[293] U.S. Dep’t of State, Federal Assistance Award for George Mason University 1 (Sep. 12, 2022).

[294] Geo. Mason Univ. Carter School for Peace and Reconciliation, Research & Evaluation Innovation Fund: Contact Theory in DRG Programs 2 (2022) (describing in a literature review how the Carter Center anticipates fostering more inclusive political processes).

[295] U.S. Dep’t of State, Bureau of Democracy, Human Rights, and Labor, Our Mission, <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/bureau-of-democracy-human-rights-and-labor/> (last visited Oct. 10, 2024).

[296] E-mail from redacted Dep’t of State employee to various State and USAID officials (Apr. 18, 2022, 11:41 EST) (subject: DRL Core Institutes Virtual Review Panel (Due COB May 6): IRI and NDI PAIRS V Proposals).

[297] DRL, DRL-Administered Funds Panelist Score Sheet for National Democratic Institute (NDI) 3 (May 24, 2022). This comment is found within the score sheet given to the Global Projects office of DRL. Score sheets are used to rank each partner’s proposal and recognize any concerns about security, value, timing, or other proposal expectations and goals. USAID, DRL, and other Department leaders each cast score sheets to vote on whether a partner’s proposal will be funded and they can leave comments for the organization to improve their proposal as necessary. This was the case for NDI. .

[298] Id.

[299] E-mail from redacted Dep’t of State employee to redacted NDI board member (Apr. 1, 2022, 16:46 EST).

[300] Id.

[301] DRL, DRL-Administered Funds Panelist Score Sheet for National Democratic Institute (NDI) 4 (May 24, 2022).

[302] 2 C.F.R. pt. 180 (2006) (“When you enter into a covered transaction with another person at the next lower tier, you must verify that the person with whom you intend to do business is not excluded or disqualified.” Such verification must occur before the subcontract is signed).

[303] BDO USA, LLP, National Democratic Institute for International Affairs Independent Auditor’s Reports Required by Government Auditing Standards and Uniform Guidance 40-43 (Sep. 30, 2020) (Schedule of Findings and Questioned Costs).

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[304]Dep't of State Bureau of Democracy, Human Rights, and Labor, Global Projects Internal Risk Assessment Form for National Democratic Institute 3.a (explanation under the Monitoring Site Visits – Policies and Procedures section about required cite visits for NDI).

[305] Following the Cybersecurity and Infrastructure Security Agency, this report defines ‘misinformation’ as information that “is false, but not created or shared with the intention of causing harm,” ‘disinformation’ as information that “is deliberately created to mislead, harm, or manipulate a person, social group, organization, or country,” and ‘malinformation’ as information that “is based on fact, but used out of context to mislead, harm, or manipulate.” Joint Mis/Disinformation Working Grp., Election Infrastructure Gov’t Coordinating Council & Subsector Coordinating Council, Cybersecurity and Infrastructure Sec. Agency, Mis-, Dis-, and Malinformation 1, [https://www.cisa.gov/sites/default/files/publications/mdm-incident-response-guide\\_508.pdf#:~:text=%E2%80%A2%20Misinformation%20is%20false%2C%20but%20not%20created%20or,ot%20of%20context%20to%20mislead%2C%20harm%2C%20or%20manipulate](https://www.cisa.gov/sites/default/files/publications/mdm-incident-response-guide_508.pdf#:~:text=%E2%80%A2%20Misinformation%20is%20false%2C%20but%20not%20created%20or,ot%20of%20context%20to%20mislead%2C%20harm%2C%20or%20manipulate) (last visited Oct. 17, 2024).

[306]See, e.g., Julie Posetti & Alice Matthews, Int’l Ctr. for Journalists, A Short Guide to the History of ‘Fake News’ and Disinformation 1–2 (2018), [https://www.icfj.org/sites/default/files/2018-07/A%20Short%20Guide%20to%20History%20of%20Fake%20News%20and%20Disinformation\\_ICFJ%20Final.pdf](https://www.icfj.org/sites/default/files/2018-07/A%20Short%20Guide%20to%20History%20of%20Fake%20News%20and%20Disinformation_ICFJ%20Final.pdf).

[307]See Fernando Miró-Llinares and Jesús C. Aguerri, Misinformation About Fake News: A Systematic Critical Review of Empirical Studies on the Phenomenon and Its Status as a ‘Threat,’ 20 Eur. J. Criminology 356, 357 (2023); see also Staff of the S. Comm. on the Judiciary Select Subcomm. on the Weaponization of the Fed. Gov’t, 118th Cong., The Weaponization of ‘Disinformation’ Pseudo-Experts and Bureaucrats: How the Federal Government Partnered with Universities to Censor Americans’ Political Speech 1 (2023), [https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/EIP\\_Jira-Ticket-Staff-Report-11-7-23-Clean.pdf](https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/EIP_Jira-Ticket-Staff-Report-11-7-23-Clean.pdf) (“Following the 2016 presidential election, a sensationalized narrative emerged that foreign ‘disinformation’ affected the integrity of the election. . . . ‘Disinformation’ think tanks and ‘experts,’ government task forces, and university centers were formed, all to study and combat the alleged rise in alleged mis- and disinformation.”).

[308] The 2017 National Defense Authorization Act, and with it the provisions authorizing the GEC, became law on December 23rd, 2016. National Defense Authorization Act for Fiscal Year 2017, Pub. L. 114–328, § 1287, 130 Stat. 2000, 2546–48 (2016) (codified as amended at 22 U.S.C. § 2656 note).

[309] The Department is not clear that it considers the GEC an office. However, it lists the GEC as one of several “[b]ureaus & [o]ffices” subordinate to the Under Secretary for Public Diplomacy and Public Affairs. Under Secretary for Public Diplomacy and Public Affairs, U.S. Dep’t of State, <https://www.state.gov/bureaus-offices/under-secretary-for-public-diplomacy-and-public-affairs/>. Since the GEC is not a bureau, we conclude it is an office and refer to it as such.

[310] Exec. Order No. 13721, 81 Fed. Reg. 14,685, 14,685 (Mar. 17, 2016); § 1287(a)(2), 130 Stat. at 2546. The GEC itself, however, attributes its modern form to “Russia’s 2014 annexation of Crimea” and growing bipartisan “acknowledge[ment of] the proliferation of foreign propaganda as a significant challenge to national security” thereafter. See Adele E. Ruppe & Vivian S. Walker, U.S. Advisory Comm’n on Pub. Diplomacy, U.S. Dep’t of State, The Global Engagement Center: A Historical Overview 2001-2021 30 (2024), [https://www.state.gov/wp-content/uploads/2024/04/2024GEC-ACPD\\_DIGITAL-508\\_FINAL.pdf#:~:text=Beginning%20with%20an%20overview%20of%20its%20several%20previous,Secretary%20for%20Public%20Diplomacy%20and%20Public%20Affairs%20%28R%29](https://www.state.gov/wp-content/uploads/2024/04/2024GEC-ACPD_DIGITAL-508_FINAL.pdf#:~:text=Beginning%20with%20an%20overview%20of%20its%20several%20previous,Secretary%20for%20Public%20Diplomacy%20and%20Public%20Affairs%20%28R%29).

[311]See Ruppe & Walker, *supra* note 309, at 25–36.

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[312]E.g., compare Olivia Beavers, Pompeo Says China, Russia, Iran Are Spreading Disinformation About Coronavirus, *The Hill* (Mar. 20, 2020), <https://thehill.com/policy/national-security/488659-pompeo-says-china-russia-iran-are-spreading-disinformation-about/> (noting that, in 2020, Secretary of State Mike Pompeo stated: “There are coordinated [disinformation] efforts to disparage what America is doing and our activity to do all the things President Trump has set into motion . . . [W]e have certainly seen [them] come from places like China, and Russia and Iran[.]”), with Michael Crowley, Blinken Warns of Disinformation Threat to Democracies, *N.Y. Times* (Mar. 18, 2024), <https://www.nytimes.com/2024/03/18/world/asia/blinken-artificial-intelligence-threat.html> (noting that, in 2024, Secretary of State Antony Blinken stated: “Our competitors and adversaries are using disinformation to exploit fissures within our democracies[.]”).

[313] Clay Calvert et al., *Fake News and the First Amendment: Reconciling a Disconnect Between Theory and Doctrine*, 86 *U. Cin. L. Rev.* 99, 137 (2018).

[314] Miró-Llinares and Aguerri, *supra* note 306, at 367,

[315] See, e.g., Letter from HFAC to U.S. Dep’t of State dated May 1, 2023 [hereinafter May 1, 2023, Letter]; Letter from HFAC to U.S. Dep’t of State dated Sept. 15, 2023 [hereinafter Sept. 15, 2023, Letter]; Letter from HFAC to U.S. Dep’t of State dated July 3, 2024 [hereinafter July 3, 2024, Letter]; Letter from U.S. House Comm. on the Judiciary to U.S. Dep’t of State dated Apr. 28, 2023; Letter from U.S. House Comm. on Small Bus. to U.S. Dep’t of State dated June 7, 2023; Second Amended Complaint, *Missouri v. Biden*, 680 F. Supp. 3d 630 (W.D. La. 2023), *aff’d in part, rev’d in part* 83 F.4th 350 (5th Cir. 2023), *rev’d sub nom. Murthy v. Missouri*, 144 S. Ct. 1972 (2024) (No. 22-cv-01213); Complaint for Declaratory and Injunctive Relief, *Daily Wire, LLC v. U.S. Dep’t of State*, No. 23-cv-609 (E.D. Tex. Dec. 6, 2023).

[316] See, e.g., Off. of Inspector Gen., U.S. Dep’t of State, ISP-I-22-15, *Inspection of the Global Engagement Center* (2022), [https://www.stateoig.gov/uploads/report/report\\_pdf\\_file/isp-i-22-15.pdf](https://www.stateoig.gov/uploads/report/report_pdf_file/isp-i-22-15.pdf); Letter from HFAC to U.S. Dep’t of State dated Oct. 24, 2023; Letter from HFAC to U.S. Dep’t of State dated Mar. 7, 2024; July 3, 2024, Letter, *supra* note 314.

[317] 10 Foreign Affairs Manual 511.

[318] 10 Foreign Affairs Manual 511; National Defense Authorization Act for Fiscal Year 2017, Pub. L. 114–328, § 1287, 130 Stat. 2000, 2546–48 (2016) (codified as amended at 22 U.S.C. § 2656 note); John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. 115-232, § 1284, 132 Stat. 1636, 2076–2078 (2018) (codified at 22 U.S.C. § 2656 note); 22 U.S.C. § 2656 note.

[319] 22 U.S.C. § 2656 note.

[320] *Id.*

[321] *Id.*

[322] *Id.*

[323] *Id.*

[324] It is not entirely clear whether the awards discussed in this section are grants or cooperative agreements. See May 10, 2024, Letter from U.S. Dep’t of State to HFAC [hereinafter May 10, 2024, Letter]; U.S. Dep’t of State, FY18-FY23 GEC Award Recipients (2024), available at U.S. Dep’t of State Production to HFAC. Therefore, we will refer to them as awards.

[325] See, e.g., May 1, 2023, Letter, *supra* note 314; Sept. 15, 2023, Letter, *supra* note 314; July 3, 2024, Letter, *supra* note 314.

[326] See May 1, 2023, Letter, *supra* note 314.

[327] See, e.g., Statement of Work in Support of Subgrant Agreement Between Park Capital Investment Group LLC and Disinformation Index Ltd, Cooperative Agreement No. SGECPD18CA0024, signed by Park Advisors on Oct. 26, 2021, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00018-0001650 - 1652 [hereinafter GDI Statement of Work].

[328] See May 10, 2024, Letter, *supra* note 323.

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[329]See Spreadsheet Listing GEC Award Recipients for FY 2018 – FY 2023, available at U.S. Dep’t of State Production to HFAC [hereinafter GEC Award Recipients FY 2018 – FY 2023]; discussion infra note 376.

[330] For an FY 2019 award to Albany Associates International Ltd., the spreadsheet entry which is supposed to list subawards instead states “[r]eport mentions subpartners; unable to find details.” GEC Award Recipients FY 2018 – FY 2023, supra note 328.

[331] Park Advisors, LinkedIn, <https://www.linkedin.com/company/park-advisors-llc> (last visited Oct. 23, 2024).

[332]See Off. of Inspector Gen., U.S. Dep’t of State, AUD-MERO-20-26, Audit of Global Engagement Center Federal Assistance Award Management and Monitoring 32 (2020), [https://www.stateoig.gov/uploads/report/report\\_pdf\\_file/final-report-audit-gec-20-april-2020-5.15.23\\_redacted.pdf](https://www.stateoig.gov/uploads/report/report_pdf_file/final-report-audit-gec-20-april-2020-5.15.23_redacted.pdf); Complaint for Declaratory and Injunctive Relief, supra note 314, at 13; GEC Award Recipients FY 2018 – FY 2023, supra note 328.

[333]See infra notes 340–388 and accompanying text.

[334]Defeat Disinfo, U.S. Dep’t of State, <https://www.state.gov/defeat-disinfo/> (last visited Oct. 23, 2024); Archive of Disinfo Cloud’s ‘Frequently Asked Questions’ Webpage dated Oct. 5, 2019, Internet Archive, <https://web.archive.org/web/20220725090507/https://disinfocloud.com/faq> (last visited Oct. 23, 2024); Archive of Disinfo Cloud’s ‘About Us’ Webpage dated Dec. 17, 2020, Internet Archive, <https://web.archive.org/web/20220725090507/https://disinfocloud.com/about-us> (last visited Oct. 23, 2024).

[335]See, e.g., Email from GEC Incubator to GEC Incubator dated July 27, 2021, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00018-0000001 - 4; Email from GEC Incubator to GEC Incubator dated Aug. 10, 2021, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00018-0000012 - 15; Email from GEC Incubator to GEC Incubator dated Sept. 15, 2021, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00018-0000018 - 21. These examples are technologies for which the GEC held “Tech Demo[s].” Id. In at least some cases, technologies “presented at . . . Tech Demos [we]re displayed on Disinfo Cloud.” See, e.g., Email from GEC Incubator to GEC Incubator dated July 27, 2021, supra.

[336] Complaint for Declaratory and Injunctive Relief, supra note 314, at 15. For a more detailed discussion of Disinfo Cloud, see generally id. at 11–22.

[337] Park Advisors’ website, while active, seems to consist only of a picture of trees. Park Advisors, <https://www.park-advisors.com/> (last visited Oct. 23, 2024). It once contained information comparable to that on their current LinkedIn page. Archive of Park Advisors’ Website Homepage dated Dec. 3, 2018, Internet Archive, <https://web.archive.org/web/20181203005256/https://www.park-advisors.com/> (last visited Oct. 23, 2024); Park Advisors, supra note 330.

[338] Email from Glob. Engagement Ctr. staff to [Redacted] dated Oct. 24, 2022, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00018-0000006 (emphasis added).

[339] Christina Nemr, LinkedIn, <https://www.linkedin.com/in/christina-nemr> (last visited Oct. 23, 2024); Becera, LinkedIn, <https://www.linkedin.com/company/becera> (last visited Oct. 23, 2024); see also Complaint for Declaratory and Injunctive Relief, supra note Error! Bookmark not defined., at 38 (calling Becera “Disinfo Cloud’s replacement” and noting that “Nemr describes her new venture, Becera, as improving ‘public-private collaboration through tech innovation’”).

[340] Complaint for Declaratory and Injunctive Relief, supra note Error! Bookmark not defined., at 39.

[341]Privacy Policy, Glob. Disinformation Index, <https://www.disinformationindex.org/privacy/> (June 5, 2024); Our Story, Glob. Disinformation Index, <https://www.disinformationindex.org/about> (last visited Oct. 24, 2024) [hereinafter Our Story, Glob. Disinformation Index]; What We Do, Glob. Disinformation Index, <https://www.disinformationindex.org/product> (last visited Oct. 24, 2024).

[342]Our Story, Glob. Disinformation Index, supra note 340.



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[343]See Complaint for Declaratory and Injunctive Relief, supra note 314, at 25 (“[T]he Dynamic Exclusion List is hidden from the public[.]”); Gabe Kamnisky, Disinformation Inc: Meet the Groups Hauling in Cash to Secretly Blacklist Conservative News, Wash. Exam’r (Feb. 9, 2023),

<https://www.washingtonexaminer.com/news/2749593/disinformation-inc-meet-the-groups-hauling-in-cash-to-secretly-blacklist-conservative-news/>.

[344]See Kaminsky, supra note 342 (arguing that the ten news outlets which GDI identifies “in reports . . . as the ‘riskiest’ and ‘worst’ offenders for peddling disinformation . . . all skew to the right,” whereas “all [but one] of the websites that GDI ranks as the ‘least risky’ lean left in their news coverage.”); Glob. Disinformation Index, Disinformation Risk Assessment: The Online News Market in the United States 5, 21–22 (2022),

<https://www.disinformationindex.org/country-studies/2022-12-16-disinformation-risk-assessment-the-online-news-market-in-the-united-states/> (identifying these twenty outlets in an official GDI report) (emphasis omitted); AllSides Media Bias Chart, AllSides, <https://www.allsides.com/media-bias/media-bias-chart> (last visited Oct. 24, 2024) (demonstrating that, according to one “[m]edia [b]ias” assessment, eight of the GDI’s ten lowest-risk outlets were left of center while eight of the GDI’s ten highest-risk outlets were right of center); BuzzFeed News, AllSides, <https://www.allsides.com/news-source/buzzfeed-media-bias> (last visited Oct. 24, 2024) (demonstrating that another one of the GDI’s lowest-risk outlets, excluded from the previous assessment, was left of center).

[345] GDI Statement of Work, supra note 326.

[346]Global Disinformation Index, Phase II Application, U.S.-Paris Tech Challenge, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00018-0001660 - 1668 (“[GDI’s technology] incorporates machine learning models trained to dozens of adversarial narrative topics . . . . It then measures the proportion of each site’s content that relates to one or more of these topics and . . . distills out the ‘worst offenders’ from across the web. These sites . . . comprise GDI’s Dynamic Exclusion List[.]”).

[347]About NewsGuard, NewsGuard, <https://www.newsguardtech.com/about-newsguard/> (last visited Oct. 24, 2024); NewsGuard for Advertising, NewsGuard, <https://www.newsguardtech.com/solutions/newsguard-for-advertising/> (last visited Oct. 24, 2024).

[348]News Reliability Ratings, NewsGuard, <https://www.newsguardtech.com/solutions/newsguard/> (last visited Oct. 24, 2024); Get NewsGuard for Your Browser, NewsGuard, <https://www.newsguardtech.com/how-it-works/> (last visited Oct. 24, 2024).

[349]Misinformation Fingerprints, NewsGuard, <https://www.newsguardtech.com/solutions/misinformation-fingerprints/> (last visited Oct. 24, 2024).

[350]Website Rating Process and Criteria, NewsGuard, <https://www.newsguardtech.com/ratings/rating-process-criteria/> (last visited Oct. 24, 2024) (emphasis omitted).

[351] Joseph Vasquez, STUDY: NewsGuard Ratings System Heavily Skews in Favor of Left-Wing Outlets, MRC Free Speech Am. (Dec. 13, 2021), <https://www.newsbusters.org/blogs/free-speech/joseph-vazquez/2021/12/13/study-newsguard-ratings-system-heavily-skews-favor-left>;

Joseph Vasquez, STUDY: NewsGuard Ratings System STILL Heavily Biased in Favor of Left-Wing Media Outlets, MRC Free Speech Am. (Jan. 6, 2023), <https://www.newsbusters.org/blogs/free-speech/joseph-vazquez/2023/01/06/study-newsguard-ratings-system-still-heavily-biased>;

Joseph Vasquez, MRC Exposes NewsGuard for Leftist Bias Third Year in a Row, MRC Free Speech Am. (Dec. 12, 2023), <https://newsbusters.org/blogs/free-speech/joseph-vazquez/2023/12/12/mrc-exposes-newsguard-leftist-bias-third-year-row>. But see Stephen Dinan, House GOP Opens Investigation into Bias at Media Watchdog NewsGuard, Wash. Times (June 13, 2024), <https://www.washingtontimes.com/news/2024/jun/13/house-gop-opens-investigation-into-bias-at-media-w/> (noting that “NewsGuard has questioned [the Media Research Center]’s methodology, saying it cherry-picked the examples it used for [its] comparison”).

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[352] Jonathan Turley, The Most Chilling Words Today: I'm from NewsGuard and I'm Here to Rate You, The Hill (July 27, 2024), <https://thehill.com/opinion/civil-rights/4795501-newsguard-censorship-conservative-speech/> [hereinafter Turley, The Most Chilling Words Today]; Jonathan Turley, Elon Musk is Right: End the Online Censorship Racket, The Hill (July 13, 2024), <https://thehill.com/opinion/civil-rights/4767593-global-alliance-responsible-media-censorship/>.

[353] Turley, The Most Chilling Words Today, supra note 351.

[354] Jonathan Turley, A Shield or Sword? A Response to NewsGuard, Res Ipsa Loquitur – The Thing Itself Speaks (July 29, 2024), <https://jonathanturley.org/2024/07/29/a-response-to-newsguard-on-my-recent-criticism/>.

[355] Email from U.S. Dep't of State staff to HFAC staff dated June 14, 2024 [hereinafter June 14, 2024, Email].

[356] See July 3, 2024, Letter, supra note 314.

[357] Letter from U.S. Dep't of State to HFAC dated July 22, 2024 [hereinafter July 22, 2024, Letter].

[358] Contract Agreement between Park Capital Investment Group LLC and NewsGuard dated Nov. 2, 2020, at exhibit 1, available at U.S. Dep't of State Production to HFAC, STATE-2023-00018-0002921 – 22 [hereinafter 2020 NewsGuard Statement of Work].

[359] Id.

[360] Id.

[361] See Email from HFAC staff to U.S. Dep't of State staff dated Aug. 1, 2024.

[362] June 14, 2024, Email, supra note 354. The Department also provided the Statement of Work for this award. Contract Agreement between Park Capital Investment Group LLC and NewsGuard dated Dec. 31, 2021, at exhibit 1, available at U.S. Dep't of State Production to HFAC, STATE-2023-00018-0002933 - 34. However, the award's purpose and activities changed significantly from those described in the Statement of Work, rendering the document irrelevant. See id.; July 22, 2024, Letter, supra note 356; June 14, 2024, Email, supra note 354.

[363] June 14, 2024, Email, supra note 354; Invoice from NewsGuard to Park Advisors dated Jan. 10, 2022, available at U.S. Dep't of State Production to HFAC, STATE-2023-00018-002617. According to the Washington Examiner, one of NewsGuard's CEOs stated that Park Advisors' 2020 award to NewsGuard also involved use of its Misinformation Fingerprints product. See Gabe Kaminsky, State Department Faces Lawsuit from Various Conservative Media over Funding 'Censorship Scheme,' Wash. Exam'r (Dec. 6, 2023), <https://www.washingtonexaminer.com/news/2640919/state-department-faces-lawsuit-from-conservative-media-over-funding-censorship-scheme/>.

[364] See 2020 NewsGuard Statement of Work, supra note 357.

[365] See June 14, 2024, Email, supra note 354.

[366] See 2020 NewsGuard Statement of Work, supra note 357.

[367] Indeed, more information could well implicate censorship concerns. For instance, the Misinformation Fingerprints program has received criticism for enabling U.S. social media companies to more effectively conduct censorship. See Margot Cleveland, NewsGuard Is Selling its Government-Funded Censorship Tool to Private Companies, Federalist (Nov. 27, 2023), <https://thefederalist.com/2023/11/27/newsguard-is-selling-its-government-funded-censorship-tool-to-private-companies/>. However, the GEC could also have used the tool in a manner that does not implicate censorship, like informing its intragovernmental reports. We simply do not know.

[368] ISD (Institute for Strategic Dialogue), LinkedIn, <https://www.linkedin.com/company/isdglobal> (last visited Oct. 24, 2024); About Us, Inst. for Strategic Dialogue, <https://www.isdglobal.org/about/> (last visited Oct. 24, 2024).

[369] Inst. for Strategic Dialogue, supra note 367.

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[370]See, e.g., Jennie King et al., Inst. for Strategic Dialogue & CASM Tech., Deny, Deceive, Delay: Implementing and Responding to Climate Disinformation at COP26 and Beyond—Executive Summary 2, 8–9 (2022), <https://www.isdglobal.org/wp-content/uploads/2022/06/Executive-Summary-Deny-Deceive-Delay.pdf> (identifying, as “disinformation” narratives, concerns about efforts to combat climate change like “the viability and effectiveness of renewable energy sources,” a “focus on China and, to a lesser extent, India for making insufficient progress or having weak onward [climate] targets,” and the idea “that COP26 as a process was corrupt, irrelevant and/or had no public mandate,” and “urg[ing] regulators and tech companies to . . . [r]eflect the definition of climate mis- and disinformation in tech company Community Standards and/or Terms of Service” (emphasis omitted)); Clara Martiny et al., Inst. for Strategic Dialogue, Analysis of Social Media Platforms’ Response 100 Days After US Supreme Court Decision Overturning Roe V. Wade 11, 15, 20 (2022), <https://www.isdglobal.org/wp-content/uploads/2022/10/Analysis-of-Social-Media-Platforms-Response-100-Days-After.pdf> (identifying claims that “abortion procedures” involve “killing, murdering, [or] dismembering . . . children” as “[m]isinformation” and calling for social media platforms to adopt measures like “addressing language and exaggerated, inaccurate depictions of abortion that may unnecessarily create fear amongst users”); Clara Martiny & Sabine Lawrence, Inst. for Strategic Dialogue, A Year of Hate: Anti-Drag Mobilization Efforts Targeting LGBTQ+ People in the US 4 (2023), <https://www.isdglobal.org/wp-content/uploads/2023/06/Anti-drag-Mobilization-Efforts-Targeting-LGBTQ-People-in-the-US.pdf> (finding, among other results, a “concerning upward trend of anti-drag mobilization across the US” which “harms the LGBTQ+ community, small business, parents, and poses serious risks to community security throughout the nation”).

[371]End of the Year Accomplishments for CY21: Tech Challenges, available at U.S. Dep’t of State Production to HFAC, STATE-2023-00018-0001634 - 38.

[372]Nestor Prieto Chavana et al., Beam, Inst. for Strategic Dialogue & CASM Tech., Identifying Sock-Puppets on Wikipedia: A Semantic Clustering Approach (2024), [https://www.isdglobal.org/wp-content/uploads/2024/04/Identifying-Sock-Puppets-on-Wikipedia\\_A-Semantic-Clustering-Approach.pdf](https://www.isdglobal.org/wp-content/uploads/2024/04/Identifying-Sock-Puppets-on-Wikipedia_A-Semantic-Clustering-Approach.pdf). This report, published in 2024, appears to be ISD’s only report on Wikipedia. Identifying Sock-Puppets on Wikipedia: A Semantic Clustering Approach, Inst. for Strategic Dialogue, <https://www.isdglobal.org/isd-publications/identifying-sock-puppets-on-wikipedia-a-semantic-clustering-approach/> (last visited Oct. 24, 2024); List of ISD Publications, Inst. for Strategic Dialogue, <https://www.isdglobal.org/isd-publications/> (last visited Oct. 24, 2024). Its contents also align with the GEC’s statements about how ISD would use the grant; for instance, the GEC states that ISD will conduct “[i]nterviews with members of the Wikipedia community involved in enforcement and detection to understand current approaches and known threat actors,” and the report contains the results of such interviews. See End of the Year Accomplishments for CY21: Tech Challenges, *supra* note 370; Prieto Chavana et al., *supra*, at 4–6.

[373]See Prieto Chavana et al., *supra* note 371, at 3, 7.

[374]See Prieto Chavana et al., *supra* note 371.

[375] Memorandum from Antony Blinken, Sec’y of State, U.S. Dep’t of State to All Diplomatic & Consular Posts, Cat Park – A New Online Game to Inoculate Youth Against Disinformation (Oct. 31, 2022), <https://justthenews.com/sites/default/files/2022-11/State%20Department%20Cat%20Park%20disinformation%20game%20memo.pdf>; Greg Piper, State Department Tells Staff Abroad to Promote Anti-Populist ‘Disinformation’ Game in Schools, Just the News, <https://justthenews.com/government/diplomacy/state-department-tells-staff-abroad-promote-anti-populist-disinformation-game> (Nov. 18, 2022).

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[376]See Memorandum from Antony Blinken, supra note 374; Archive of U.S. Embassy the Hague’s Webpage for Notice of Funding Opportunity No. S-NL800-20-GR-3011 dated Dec. 17, 2022, Internet Archive, <https://web.archive.org/web/20221217081529/https://nl.usembassy.gov/wp-content/uploads/sites/148/9-FINAL-NOFO-Game-Development-Grant.pdf> (last visited Oct. 25, 2024); Adam Andrzejewski, State Dept Paid 275K for Video Game to ‘Counter Disinformation,’ Real Clear Pol’y (Sept. 7, 2022), [https://www.realclearpolicy.com/articles/2022/12/07/state\\_dept\\_paid\\_275k\\_for\\_video\\_game\\_to\\_counter\\_disinformation\\_868137.html](https://www.realclearpolicy.com/articles/2022/12/07/state_dept_paid_275k_for_video_game_to_counter_disinformation_868137.html).

[377]See Memorandum from Antony Blinken, supra note 374; Internet Archive, supra note 375. Adding to this confusion, this award does not appear on the list of FY 2018 – FY 2023 GEC awards the Department provided; however, because of redactions, it is difficult to be certain. GEC Award Recipients FY 2018 – FY 2023, supra note 328.

[378]Advisory Comm’n on Pub. Dipl., U.S. Dep’t of State, 2021 Comprehensive Annual Report on Public Diplomacy & International Broadcasting 100 (2022), <https://www.state.gov/wp-content/uploads/2022/03/2021-ACPD-Annual-Report-508-WEB.pdf>.

[379] GEC Award Recipients FY 2018 – FY 2023, supra note 328.

[380]Harmony Square, <https://harmonysquare.game/> (last visited Oct. 25, 2024); Cat Park, <https://catpark.game/> (last visited Oct. 25, 2024).

[381]Games Are a Weapon in the War on Disinformation, Economist (Apr. 5, 2023), <https://www.economist.com/culture/2023/04/05/games-are-a-weapon-in-the-war-on-disinformation>.

[382] The games purport to counter disinformation by enlisting the player to develop and “spread disinformation” in-game. Resources – Technology Engagement Division, U.S. Dep’t of State, <https://www.state.gov/resources-technology-engagement-division/> (last visited Oct. 25, 2024). “The idea” here, “called inoculation theory,” posits that “the game[s] function[] as a psychological ‘vaccine’ by exposing people to weakened doses of the common techniques used in political misinformation[.]” Jon Roozenbeek & Sander van der Linden, Breaking Harmony Square: A Game That “Inoculates” Against Political Misinformation, Harv. Kennedy Sch. Misinformation Rev. 1, 3 (Nov. 6, 2020), [https://misinforeview.hks.harvard.edu/wp-content/uploads/2020/11/roozenbeek\\_harmony\\_square\\_game\\_misinformation\\_20201106.pdf](https://misinforeview.hks.harvard.edu/wp-content/uploads/2020/11/roozenbeek_harmony_square_game_misinformation_20201106.pdf); U.S. Dep’t of State, supra. This foundation is questionable as applied. Two of the researchers who “created Harmony Square and Cat Park” have since acknowledged that, in the case of videos utilizing inoculation theory, there is “(potentially rapid) decay [in learning] over time . . . [and] actively rehearsing the lessons from the interventions (e.g., about how to spot a particular manipulation technique) appears to be important for their longevity and effectiveness.” Jon Roozenbeek & Sander van der Linden, The Psychology of Misinformation 118, 134–37 (2024) (emphasis omitted) (discussing studies that showed “people [who] watched an inoculation video and evaluated a series of social media posts [for disinformation] directly after” better retained the knowledge than people “that saw the inoculation video but didn’t rate any social media posts immediately after”). They imply this issue is less problematic for games utilizing inoculation theory because “rehearsal tasks are relatively easy to implement in games”; of course, one questions the extent to which very short video games that few are likely to repeat constitute meaningful rehearsal. See id. at 135. Perhaps to remedy this issue, the GEC is now funding a \$1,000,000 grant to “develop an evergreen game in a sandbox platform, with an existing fan base”—while the full nature of this project is not clear, it seems like such game would better lend itself to repeated playthroughs or long-term engagement. Grants Notice for Funding Opportunity No. DFOP0010749, Grants.gov (Apr. 9, 2024), <https://www.grants.gov/search-results-detail/353456>.

[383]See, e.g., Mike Benz, U.S. Gov’t Funding ‘Disinformation’ Video Game ‘Cat Park,’ Leaked State Dept Memo Reveals, Found. for Freedom Online (Nov. 17, 2022), <https://foundationforfreedomonline.com/us-govt-funding-disinformation-video-game-cat-park-leaked-state-dept-memo-reveals/> (arguing that Cat Park “has the effect of making young people subtly associate social media posts expressing dissatisfaction with government with fraudulent, astroturfed billion-dollar operations – rather than genuine citizens mobilizing for reform of corrupt government practices).

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- [384]Harmony Square, supra note 379; Cat Park, supra note 379.
- [385]Harmony Square, supra note 379; Cat Park, supra note 379.
- [386]See, e.g., Anatomy of a Blockbuster: Angry Birds, MCV/Develop (Apr. 11, 2011), <https://mcvuk.com/development-news/anatomy-of-a-blockbuster-angry-birds/>; Charles Mauro, Why Angry Birds Is So Successful and Popular: A Cognitive Teardown of the User of the User Experience, Mauro Usability Science: PulseUX Blog (last visited Oct. 25, 2024), <https://www.maurousabilityscience.com/blog/why-angry-birds-is-so-successful-a-cognitive-teardown-of-the-user-experience/>; Rhett Allain, The Physics of Angry Birds, Wired (Oct. 8, 2010), <https://www.wired.com/2010/10/physics-of-angry-birds/>; Christina Liu & Yanting Li, Rovio and Angry Birds, <http://www.econ.ucla.edu/sboard/teaching/tech/rovio.pdf> (last visited Oct. 25, 2024).
- [387]See John Woolley, Somber Yet Charming, Hollow Knight Is My Favorite Game in Years, Geo. Voice (Sept. 25, 2020), <https://georgetownvoice.com/2020/09/25/hollow-knight/>; Hollow Knight: Awards, IMDb, <https://www.imdb.com/title/tt7791150/awards/> (last visited Oct. 25, 2024); Mike Suskie, Hollow Knight Review, Gamecritics.com (Apr. 5, 2017), <https://gamecritics.com/mike-suskie/hollow-knight-review/>; Alex Santa Maria, Hollow Knight: Silksong to Be More Accessible & Add RPG Elements, Screen Rant (Jan. 1, 2021), <https://screenrant.com/hollow-knight-silksong-accessible-rpg-elements/>.
- [388] Daniel de Visé, Residents of This State Pay \$987,117 in Lifetime Taxes. Guess Which One?, USA Today (Apr. 11, 2024), <https://www.usatoday.com/story/money/2024/04/11/which-states-cost-the-most-in-lifetime-taxes/73279496007/>.
- [389] Cf. Benz, supra note 382 (urging the reader to “play Cat Park” and “see [his] tax dollars at work” (emphasis omitted)).
- [390]About Us, Thomson Reuters Found., <https://www.trust.org/about-us/#who-we-are> (last visited Oct. 25, 2024); Thomson Reuters Foundation, Thomson Reuters, <https://www.thomsonreuters.com/en/about-us/thomson-reuters-foundation.html> (last visited Oct. 25, 2024).
- [391]Thomson Reuters Found., supra note 389.
- [392]See Congressional Notification 23-353 dated Sept. 11, 2023, at 1, 8–9; Logical Framework for Award No. SGECPD21CA3033 (on file with HFAC).
- [393] Logical Framework for Award No. SGECPD21CA3033, supra note 391.
- [394] Monitoring & Evaluation Plan for Award No. SGECPD21CA3033 (on file with HFAC).
- [395]U.S. Department of State Award Provisions, A Synopsis Regarding The Drag Theatre Program’s Costs and Objectives (2022)
- [396]<https://eca.state.gov/about-bureau>
- [397] Email from U.S. Consulate Guayaquil to U.S. Embassy in Quito, Ecuador, to REDACTED (Oct. 19, 2022, 10:52:16) ; <https://eca.state.gov/programs-and-initiatives/initiatives/office-american-spaces>
- [398]Email from U.S. Consulate Guayaquil to U.S. Embassy in Quito, Ecuador, to REDACTED (Oct. 19, 2022, 10:52:16) ; <https://eca.state.gov/programs-and-initiatives/initiatives/office-american-spaces>
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- [400]Abraham Lincoln Center, Request For State Department Funds Along With A Brief Description Of Drag Program
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- [402]Dionisios Arte-Cultura-Identidad, <https://dionisiosartecultura8.webnode.es/sobre-nosotros/>
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- [405] Dionisios Arte-Cultura-Identidad Daniel Moreno, MEMORIA 31 TRANS 2021, YouTube, (Apr, 11, 2021), <https://www.youtube.com/watch?v=jdPWTzlCGPw>
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- [407] Taylor Orth; Kathy Frankovic, "Who do Americans think should be allowed to attend drag shows," YouGov, (Apr. 14, 2023, 8:35 A.M.), <https://today.yougov.com/politics/articles/45562-who-should-be-allowed-attend-drag-shows-poll>
- [408] Taylor Orth; Kathy Frankovic, "Who do Americans think should be allowed to attend drag shows," YouGov, (Apr. 14, 2023, 8:35 A.M.), <https://today.yougov.com/politics/articles/45562-who-should-be-allowed-attend-drag-shows-poll>
- [409] [https://www.lgbtmap.org/equality-maps/criminaljustice/drag\\_restrictions](https://www.lgbtmap.org/equality-maps/criminaljustice/drag_restrictions)
- [410] Centro Ecuatoriano Norteamericano "Abraham Lincoln" A Synopsis And Breakdown Of The Drag Theatre Program; Dionisios Arte-Cultura-Identidad, <https://dionisiosartecultura8.webnode.es/sobre-nosotros/>
- [411] U.S. Department of State Award Provisions, A Synopsis Regarding The Drag Theatre Program's Costs and Objectives (2022)
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