



RECORDS RELEASE

A Year After **January 6, 2021**, How the Trump Administration and Right-Wing Media Worked to Corrupt Public Information

Executive Summary

While the role of right-wing media as a platform for those seeking to discredit the integrity of the 2020 election and promote the Big Lie has been **well documented**, less appreciated is the way in which officials embedded both in the White House and throughout federal executive agencies during the Trump administration shaped and corrupted public information, including by coordinating with right-wing media.

A number of these instances publicly surfaced within the first year of Donald Trump's presidency. These reports raised substantial concerns about the nature of efforts within the Trump administration to manipulate public information and the administration's work to do so through right-wing media organizations. The conduct reported also potentially implicated the federal prohibition on **covert propaganda**, the **Anti-Lobbying Act**, and the **Information Quality Act**.

Democracy Forward Foundation ("Democracy Forward") initiated a public records investigation into the relationship between these media outlets and government officials. The investigation, which is ongoing, seeks to understand the culture of information dissemination within federal agencies under the Trump administration. To date, we have reviewed approximately 30,000 pages of emails and documents produced from federal executive agencies, many of which are communications between federal executive agencies and right-wing media outlets.

On the first anniversary of January 6, 2021, this *Records Release* provides highlights of documents reviewed to date. As described in the pages that follow, the records received show the role of right-wing media outlets in shaping narratives espoused by Donald Trump and his allies. These narratives were not limited to the Big Lie or coverage during presidential campaigns; they, in fact, spanned a number of issues including tax policy, immigration, the COVID-19 pandemic, and environmental policy. These records also show the role Trump-era officials in federal agencies played in corrupting public information.

Documents received as part of our investigation illustrate the following:

- Throughout the Trump administration, outlets like Fox News and Breitbart appealed to federal agency officials, including by criticizing mainstream reporting and by offering to provide the administration the opportunity to share information to the public without being critically questioned.
- Trump-era officials in key posts throughout the federal government shaped and created information provided to the American people by coordinating with right-wing media outlets with whom they had strong relationships. In some cases, government officials did not disclose their role in shaping such information, raising significant concerns that the Trump administration was engaged in covert propaganda **prohibited under federal**

law. Other documents raise concerns that administration officials were engaged in **illegally lobbying** Congress.

- Trump-era officials used government agencies to disseminate misleading narratives and information to the American people on major aspects of Donald Trump’s policy agenda, immigration issues, and the COVID-19 pandemic. One particularly harmful portion of this conduct was the Trump administration’s perpetuation of dehumanizing narratives about immigrants, which included sharing personal information about individuals in ways that implicated prohibitions under the **Privacy Act of 1974**.

This *Records Release* sheds light on the culture of misinformation that existed during the Trump administration. Understanding that culture is critical to preventing its spread in the future. Throughout our investigation, we have called on federal agencies to take a closer look at these issues and to ensure that this kind of culture does not take hold again.

Origins & Scope of Investigation

After the 2017 inauguration of Donald Trump, reports surfaced of the Trump administration shaping and manipulating information provided to the public, often in coordination with Fox News, Breitbart, and other outlets. Examples included:

- **May 2017:** Fox News producer Diana Aloï **explicitly sought and explicitly obtained** government approval from Environmental Protection Agency press secretary Amy Graham on the lead-in script for Administrator Scott Pruitt’s May 2017 interview with Fox and Friends.
- **January 2018:** Following an **Executive Order** from President Trump to publish data on terrorism-related offenses by “foreign nationals,” the Departments of Justice and Homeland Security issued a **joint terrorism report** that misleadingly inflated the role of immigrants in committing terrorist acts against the United States.
- **December 2018:** Months after former White House Communications Director Hope Hicks left her post to serve as the chief spokesperson for Fox, White House officials **coordinated** with executives of Fox’s parent company to secure the network’s approval to support priority legislation.

These reports potentially implicate a number of federal laws. **Federal law prohibits covert propaganda** and specifically bars funds appropriated by Congress (including funds used to operate federal executive agencies) from being used, directly or indirectly, for publicity or propaganda purposes within the United States, unless authorized by Congress. The Government Accountability Office (GAO) **has interpreted** this prohibition

to preclude the government from engaging in “covert propaganda.” The critical element of covert propaganda is a federal agency’s concealment from the target audience of its role in creating the material.

The **Anti-Lobbying Act of 1919** prohibits government officials and employees from communicating with private citizens to encourage them to lobby Congress. This federal law is violated when government officials appeal to entities outside government to use their influence to persuade Members of Congress to support or defeat legislation.

The **Information Quality Act (IQA)**—or the Data Quality Act—requires that information disseminated to the public by federal agencies be of requisite quality, objectivity, utility, and integrity. The **guidelines implementing** the IQA define these requirements as ensuring information is presented in its proper context to ensure an accurate, clear, complete, and unbiased presentation.

Democracy Forward was founded in 2017 to investigate, expose, and challenge unlawful and harmful governmental abuses of power and corruption. In light of the early reports of misinformation and coordination between administration officials and Fox News and other outlets, and the concerns such coordination presented for governmental transparency, beginning in December 2018, Democracy Forward filed three rounds of public records requests under the Freedom of Information Act (“FOIA”). Our FOIA requests sought public records reflecting communications between federal agency press officers and outlets including Fox News, Breitbart News, NewsMax, Daily Caller, and One America News.

Agencies initially withheld these records. Beginning in February 2019, Democracy Forward filed three federal lawsuits against 12 agencies, which successfully compelled the agencies’ compliance with their statutory obligations under the FOIA. This *Records Release* includes highlights from more than 60 productions of documents, totaling about 30,000 pages. Records continue to be produced in response to our requests and litigation.

Throughout our investigation, we have called on federal agencies to take a closer look at these issues and to ensure that this kind of culture does not take hold again. In response to one such request, the Department of Homeland Security has **acknowledged** that Trump-era leaks of individuals’ immigration status to Fox and Breitbart indicate “possible privacy and civil rights violations” and that it is “working to develop training to enhance DHS employees’ awareness of privacy and civil rights protections.” In response to another such request, which sought relief under the **Information Quality Act**, a law that requires that information disseminated to the public by federal agencies be of requisite quality, objectivity, utility, and integrity, the Trump administration **conceded fault in information it produced** to the public but refused to retract it.

Our public records investigation remains ongoing.

What Is Propaganda Under the Law?

Most appropriations statutes enacted since 1951, including those in effect at the time of the creation of the documents released in this report, have contained general **prohibitions** on the use of appropriated funds for “publicity or propaganda purposes.” The Government Accountability Office (GAO) **has interpreted** such provisions to prohibit the government from engaging in “covert propaganda.” Under GAO’s longstanding interpretation, a critical element of covert propaganda is the agency’s concealment from the target audience of its role in creating the material.

The Corruption of Public Information and the Relationship Between Trump Administration Officials and Right-Wing Media Outlets

Documents obtained from our ongoing public records investigation reveal a close relationship between right-wing media outlets and officials in the Trump administration. These officials were both in the White House and in federal executive agencies such as the Department of Treasury, the Environmental Protection Agency, the Department of Justice, and the Department of Homeland Security.

The documents contained in this *Records Release* illustrate how Fox News and Breitbart, among other outlets, appealed to federal agency officials in the Trump administration through a variety of means, including by criticizing reporting conducted by traditional news outlets. These records show that the close relationship between these right-wing media outlets and the administration enabled officials at federal agencies to shape and create public information, to script and edit information that was presented to the public by these outlets, and even to use these outlets to lobby Congress. They also reveal that Trump-era officials used government agencies, as well as their close relationship with right-wing media, to support inaccurate narratives on important issues, including immigration and the COVID-19 pandemic.

The documents exhibit that the relationship with right-wing outlets was valuable to the Trump administration and enabled it to, at times, manipulate the information that media organizations published.

SECTION 1:

Right-Wing Media Outlets Appealed to Trump Officials at Federal Agencies Through Criticizing Traditional Media and Insulating Them from Serious Questioning

Records obtained reveal a close and symbiotic relationship between right-wing media outlets and Trump administration officials embedded in federal agencies. They show that an essential part of this relationship was driven by consistent appeals from these media organizations to federal agency officials in the prior administration.

These appeals included criticizing mainstream reporting and providing the administration the opportunity to share information without being critically questioned. Indeed, right-wing media outlets often distinguished themselves from other outlets that engaged in investigatory or inquisitive reporting, sometimes making it clear that they disapproved of media that questioned government officials and created an environment in which such officials would not be questioned.

Illustrative highlights from this *Records Release* include:

- Communications between Fox News anchor Chris Wallace and Treasury's Tony Sayegh where Wallace invokes the phrase "fake news" in reaction to the opening question Jake Tapper posed to Treasury Secretary Mnuchin during an interview. Instead of first asking about tax reform, Tapper first asked Mnuchin about whether he would be surprised if President Trump fired Special Counsel Robert Mueller.
[**Read the document here.**](#)
- Communications between John Carney of Breitbart and Treasury's Tony Sayegh where Carney asks for information "on tax reform or tomorrow's speech" to "counter" what he characterized as a mainstream media attack on the president.
[**Read the document here.**](#)
- Communications between Adam Shapiro, a Fox Business Network correspondent, and the same Treasury official, Tony Sayegh, where Shapiro explains his team's effort to "not batter" Secretary Mnuchin with an "old soundbite."
[**Read the document here.**](#)
- Communications between Queenette Karikari of Fox Business Network and Treasury's Tony Sayegh where Karikari refers to Secretary Mnuchin as "the big boss."
[**Read the document here.**](#)

RE: CNN's State of the Union LOG Steven Mnuchin Doug Jones

From: "Sayegh, Tony" <tony@treasury.gov>
To: "Wallace, Chris" <chris.wallace@foxnews.com>
Date: Sun, 17 Dec 2017 11:37:29 -0500

He really enjoyed the interview w you Chris. It was an outstanding discussion on tax. Glad you two got to meet in person.

From: Wallace, Chris <Chris.Wallace@FOXNEWS.COM>
Date: December 17, 2017 at 12:51 PM EST
To: Sayegh, Tony <tony@treasury.gov>
Cc: Katherine A Hennin <kath@fox.com>
Subject: RE: CNN's State of the Union LOG Steven Mnuchin Doug Jones

As much as I hate the expression "fake news"—this is a perfect example of it—especially on the week the country gets a massive overhaul of the tax code.

From: Tony Sayegh <tony@treasury.gov>
Sent: Sunday, December 17, 2017 10:42 AM
To: Wallace, Chris <Chris.Wallace@FOXNEWS.COM>
Cc: Katherine A Hennin <kath@fox.com>
Subject: Re: CNN's State of the Union LOG Steven Mnuchin Doug Jones

That is correct.

From: Wallace, Chris <Chris.Wallace@FOXNEWS.COM>
Date: December 17, 2017 at 10:32:31 AM EST
To: Sayegh, Tony <tony@treasury.gov>
Cc: Henning, Adam A <ADAM@FOXDC.COM>
Subject: FW: CNN's State of the Union LOG Steven Mnuchin Doug Jones

Is this right? Was the first question tapered ahead of the Secretary about the tax code?

From: Katmer, Evan
Sent: Sunday, December 17, 2017 10:23 AM
To: @fox-politics <politics@fox.com>
Cc: Tracey, Bree <btracey@fox.com>
Subject: CNN's State of the Union LOG Steven Mnuchin Doug Jones

STEVEN MNUCHIN

would you be shocked if potus fired mueller?
SM 09:02:35:11 I haven't heard the POTUS about this. bit will way affect the out come of the election.

JT 09:02:52:25 how about running its course?

SM 09:02:54:18 I think it should be over quickly. there is nothing going to come out of it it should be over quickly.

JT 09:03:04:09 you want t be over quickly or you want to allow it run its course?

SM 09:03:07:01 I don't have any reason to believe that the president have any reason to do that, but it so, it is up to him.

JT 09:03:13:11 tax reform. big win for mid class(SOT) the bill landed Friday what percentage of this going to the people making 200 250k a year?

UST_00000417

"As much as I hate the expression 'fake news'—this is a perfect example of it—especially on the week the country gets a massive overhaul of the tax code."

Re: Tax Slaughter

From: "Sayegh, Tony" <tony@treasury.gov>
To: John Carney <jcarney@breitbart.com>
Date: Tue, 29 Aug 2017 18:31:44 -0400

Will see what we can do.

From: John Carney <jcarney@breitbart.com>
Date: August 29, 2017 at 8:28:53 PM EDT
To: Sayegh, Tony <tony@treasury.gov>
Subject: Tax Slaughter

Anything you can share on tax reform or tomorrow's speech? I'd really like to already churning out to attack POTUS. See Chait? https://hyperlink.services.treasury.gov/agency.do?orgId=1&tax-plan=does-have-plan-to-be-about-it.html

John Carney
Editor, Finance & Economics
Breitbart News
606-107-4010
jcarney@breitbart.com
@jcarney

"Tony, Anything you can share on tax reform or tomorrow's speech? I'd really like to have a few good details to use to counter stuff MSM is already churning out to attack POTUS. See Chait?" (In reference to an article by Jonathan Chait, NYMag Intelligencer, Aug 29, 2017.) Sayegh responds, "Will see what we can do."

UST_00000328

#2924.212

Re: Great to see you

From: "Sayegh, Tony" <tony@treasury.gov>
To: "Shapiro, Adam" <adam.shapiro@fox.com>
Date: Thu, 20 Apr 2017 15:32:19 -0400

Thanks Adam! Great seeing you yesterday. We also watched your reporting this afternoon on the

From: Shapiro, Adam <adam.shapiro@fox.com>
Date: April 20, 2017 at 1:13:03 AM EDT
To: Sayegh, Tony <tony@treasury.gov>
Subject: Great to see you

There is life after TV!!

Tony, thanks for making time for me yesterday. Secretary Mnuchin with the old soundbite about my team gets anything wrong or is unfair.

I will try and take you up on the offer for lunch going to go in to type drive when Congress is

All the best
Adam Shapiro
FOX Correspondent
202-412-6861/

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#2924.147

"I candidly shared with my producer the need to be fair and not batter Secretary Mnuchin with the old soundbite about the August TAX Reform goal. Its old news [sic]. Never hesitate to contact me if my team gets anything wrong or is unfair."

RE: Dobbs hit from WH/Treasury

From: "Sayegh, Tony" <tony@treasury.gov>
To: "Karkari, Queenette" <qkarkari@treasury.gov>
Date: Fri, 07 Apr 2017 12:17:02 -0400

OK!!! Want to help make this happen. Send

From: Karkari, Queenette <qkarkari@treasury.gov>
Sent: Friday, April 07, 2017 5:30 PM
To: Sayegh, Tony <tony@treasury.gov>
Subject: RE: Dobbs hit from WH/Treasury

Tonyyyyyyyyyyyyyyyyyyy, we would love to schedule that I need to go through?

From: Tony Sayegh <tony@treasury.gov>
Sent: Tuesday, March 28, 2017 2:04 PM
To: Karkari, Queenette <qkarkari@treasury.gov>
Cc: Josh Lipow <jlipow@treasury.gov>
Subject: Dobbs hit from WH/Treasury

OK connecting you with both with my office to that.
Assistant Secretary for Public Affairs
United States Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Suite 3442
Washington, D.C. 20220
(202) 622-2910 office

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"Tonyyyyyyyyyyyyyyyyyyy, we would love to do a segment with the big boss Steve Mnuchin [sic]. Is there a press sec or scheduler that I need to go through?"

UST_00000245

SECTION 2:

Officials in the Trump Administration Scripted Information for Right-Wing Media Outlets and Sought To Use Their Influence to Shape Coverage

Using their relationship with right-wing media outlets, public documents in this *Records Release* show Trump-era officials in federal agencies shaping, creating, and corrupting public information. In some instances, the documents reveal Trump-era government officials directly modifying information issued by the media when there was no disclosure of the government's role in shaping the information. As already noted, **federal law** prohibits federal officials from engaging in such conduct, which is defined as “covert propaganda.”

Other documents reveal federal officials' efforts to convince right-wing media outlets to cover current events, such as the COVID-19 pandemic, in a particular way. Additional incidents raise concerns about federal officials' use of right-wing media outlets to lobby Congress.

Highlights from this *Records Release* include:

- **A Treasury Department official directed a number of specific changes to Fox Business Network's content and failed to disclose the government's role in shaping this public information.** On March 20, 2017, Jason Chung of Treasury emailed Julia Limitone of Fox Business Network concerning an article she wrote about Treasury Secretary Steve Mnuchin's trip to the G20 Summit. Chung first asked Limitone to “get a couple words inserted to the title of [her] article.” Limitone responded, “No problem—will add.” Chung then asked Limitone to “take out the reference on [sic] trade as well, since his trip was broader than the one issue.” Limitone replied, “ok.” Chung then emailed again, asking her to “also remove ‘in building blocks’ as well” from the article headline and “send out an amended tweet from the @FoxBusiness account.” Limitone responded, “Jason, I just did exactly what you asked me to do, I'm going to remove that now as well. I will notify our social media team that the headline has been updated and ask them to retweet.” Today, the Fox Business **article** reflects the changes Chung sought.

The exchange shows a Treasury official dictating the wording of an article and raises troubling questions regarding compliance with **federal law**, which bans covert propaganda. Neither the story on Fox Business' website nor the tweet from its account acknowledge government's role in crafting the precise language used in the network's

coverage, and the public would not have any reason to know the government's substantial participation in the creation of this content.

[Read the document here.](#)

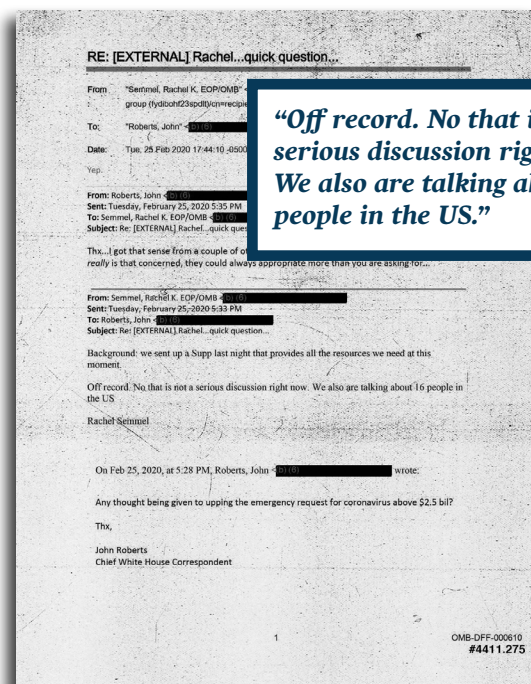
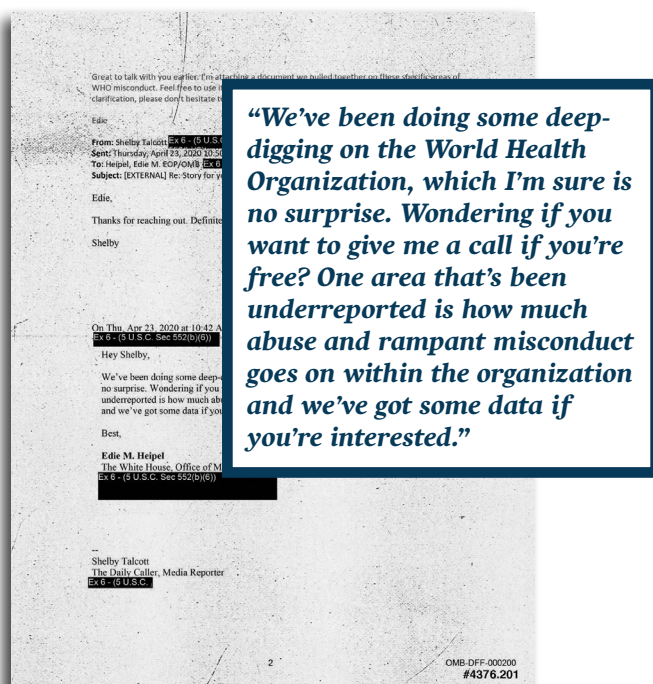
In response to this incident, and others, in September 2019, Democracy Forward [requested](#) that the Department of the Treasury's Office of the Inspector General open an investigation into whether individuals in the Treasury Department violated federal law by engaging in prohibited covert propaganda. It declined to do so.

- **An Environmental Protection Agency (EPA) official pre-approved a script that was read verbatim on *Fox & Friends* without disclosing EPA's involvement in shaping this public information.** In a May 2017 email, which was obtained by the Sierra Club, Fox News producer Diana Aloi [explicitly sought and explicitly obtained](#) government approval from EPA press secretary Amy Graham on the lead-in script for Administrator Scott Pruitt's interview with Fox and Friends: "Would this be okay as the setup to [Administrator Pruitt's] segment?" "Yes — perfect." Because there was no effort to ensure the public understood the government's "role in creating the material," in December 2018, Democracy Forward and Restore Public Trust [petitioned](#) the EPA's Office of the Inspector General to investigate violations of [anti-propaganda restrictions](#) involving this incident.
- **An Office of Management and Budget (OMB) official urged the Daily Caller to discredit the World Health Organization (WHO) in the midst of the COVID-19 pandemic.** Specifically, the emails stated: "We've been doing some deep-digging on the World Health Organization, which I'm sure is no surprise. Wondering if you want to give me a call if you're free? One area that's been underreported is how much abuse and rampant misconduct goes on within the organization and we've got some data if you're interested." Shelby Talcott of the Daily Caller expressed interest in the story and then called the OMB official, Edie Heipel. After the call, Heipel sends Talcott a "document we pulled together on these specific areas of WHO misconduct. Feel free to use it all on background. If you need to talk through anything or want clarification, please don't hesitate to give me a call." [Read the document here.](#)
- **Communications between an OMB official and a Fox News correspondent also reveal Trump officials dismissing threats posed by COVID-19 in the early days of the pandemic.** In an off-the-record comment to a Fox News correspondent on February 25, 2020, OMB's Rachel Semmel explained why the Trump administration refused to increase the emergency request in the first round of COVID-19 relief bills. She said, "Off record. No that is not a serious discussion right now. We also are talking about 16 people in the US." [Read the document here.](#)

- **White House officials lobbied Fox executives to secure the network's approval and goodwill to support the administration's bipartisan criminal justice reform bill, the First Step Act.** Specifically, the New York Times **reported** in December 2018 that “[A]fter White House officials urged senior executives at the parent company of Fox News to issue an endorsement, it released on Thursday an unusual statement formally backing the bill — a move that could provide cover for Republicans concerned about looking soft on crime.” The statement read in part: “FOX supports the bipartisan First Step Act...” Concerns about close coordination between Fox and the Trump administration were underscored by the fact that the Fox press contact listed attached to the unusual statement was **Hope Hicks**. Hicks was President Trump's former White House Communications Director turned **Executive Vice President** and Chief Communications Officer of Fox, who then **returned in 2020** to serve the Trump White House as a counselor to the President.

Efforts by Trump White House officials to persuade Fox to provide cover for congressional Republicans working with congressional Democrats on the First Step Act could implicate the **Anti-Lobbying Act**. That law prohibits government officials and employees from communicating with private citizens to encourage them to lobby Congress. In addition, the Trump White House's efforts to coordinate with Fox on messaging on the bill, without acknowledging the government's involvement, raised concerns about compliance with the **federal prohibition** on use of government resources for covert propaganda.

Read Democracy Forward's request, submitted in January 2019, that the Office of White House Counsel investigate these potential legal violations.



SECTION 3:

Trump-Era Officials Used Agency Communications as well as Coordination with Right-Wing Media Outlets to Promote Inaccurate Information and Dehumanizing Narratives

A number of the documents in this *Records Release* demonstrate the Trump administration's use of federal agency communications, as well as coordination with right-wing media outlets, to disseminate harmful and inaccurate narratives to the American people. These narratives were related to a host of different issues, including major aspects of Donald Trump's policy agenda. Perhaps the most insidious example that this *Release* reveals is the attempt to use government information in ways that consistently dehumanized immigrants. In some cases, agency officials provided personal information to the press regarding people, including immigrants and refugees, that raise significant concerns under the [Privacy Act of 1974](#).

Highlights from this *Records Release* include:

- **On many occasions, Department of Homeland Security (DHS) officials provided personal information regarding people, including immigrants and refugees, to right-wing media outlets.**
 - For example, Fox News editor Alex Pappas emailed a DHS official to share a story Fox ran about an Iraqi man accused of shooting a police officer. The DHS official responded saying: "The news here," the official wrote, "is that he is a refugee. It is not mentioned. That is new." The Fox News story was soon updated to include a lengthy disclosure from DHS about the man's immigration and criminal history, including his refugee status. [Read the document here.](#)
 - In another instance, a DHS official emailed a media outlet, whose identity was redacted, to inform them about a story of interest: "Hey guys – thought you might be interested in this story from Vermont. If you're planning on writing here's a bit of background on the his [sic] immigration status that you can use attributable to myself as a DHS spokesperson." [Read the document here.](#)
 - A Breitbart reporter, John Binder, contacted DHS to inquire whether a man accused of sexually abusing a child may have been living in the country unlawfully. In a potential violation of long-standing privacy protections, DHS Deputy Press Secretary Katie Miller (née Waldman) replied: "Off the record – is a USC [U.S. citizen]." [Read the document here.](#)

- Breitbart reporter, John Binder, emailed a DHS spokesperson, Tyler Houlton, to ask: “Do we know how this guy got here?” about a story reporting on convicted gang members in Boston. Houlton responded, “Good question” and said another official could “check tomorrow” because Houlton would be out of the office.

[Read the document here.](#)

DHS officials appear to have regularly provided details concerning citizenship, immigration and criminal histories, and immigration status to media outlets. (Read [here](#) for more examples). Not only was this practice a potential violation of long-standing rules to regulate DHS’s use and dissemination of personal information, but it was also an abuse of power by DHS to promote Trump’s narrative that immigrants are criminals. In sharing this information, DHS officials may have violated the [Privacy Act of 1974](#) and their [own policies](#), which forbid disclosure of personally identifiable information.

In light of these documents, Democracy Forward [demanded](#) an investigation into Trump officials’ campaign of leaking private and protected information about individuals’ immigration status to right-wing media outlets. Current DHS officials in the Department’s Office for Civil Rights and Civil Liberties reviewed Democracy Forward’s request and associated documents and [responded](#) that the facts “indicate possible privacy and civil rights violations” and that new training protocols will be developed in response.

- **At the request of a Breitbart reporter, a DHS press official says that he will track down information about undocumented immigrants in federal prison.** Breitbart’s John Binder emailed DHS official Tyler Houlton: “I’m doing a follow-up story on the disproportionate level at which illegal aliens are incarcerated in federal prison [W]hat percent do illegal aliens make up in the total federal custody population?” Houlton both offered to provide a contact to officials at the Department of Justice or Bureau of Prisons to obtain the information and responds that he’s “Tracking down the info now.” [Read the document here.](#)
- **In the early months of the COVID-19 pandemic, a Health and Human Services (HHS) official and Fox News Correspondent discuss a “Chinese Curse.”** In an email exchange between Roberts and HHS Assistant Secretary of Public Affairs Michael Caputo, Roberts writes: “Thx MC....interesting times ahead....” Caputo replies: “I’ve always heard ‘May you live in interesting times’ is a Chinese curse. And, here we are....” Roberts replies: “Yup... they finally got us.” [Read the document here.](#)
- **Trump’s Department of Justice sought to assist Fox News in attempting to film the release from jails in Orange County of individuals who were “wanted” or had a “detainer request” on them.** During the Trump administration’s battle with California over the state’s sanctuary cities law protecting immigrants, DOJ spokesperson Sarah Isgur Flores introduced Fox News’ Griff Jenkins to U.S. Immigration and Customs

Enforcement (ICE) and White House officials: “Griff has a great idea and is headed out to Orange County right now. Liz—he’ll need your help so putting yall together on this email!” Jenkins described his idea to White House and ICE officials, saying he was “shooting tomorrow all day” and “would love to be at the jail door when one or more” such individuals were released. [Read the document here.](#)

- **In seeking to discredit Philadelphia’s sanctuary city status for immigrants, DHS officials sent Breitbert a list of crimes that ICE had arrested criminal aliens for in Pennsylvania.** In a 2018 email, DHS officials pointed out that “just yesterday we saw the Philadelphia mayor celebrating the cities (sic) status as a sanctuary. A sanctuary for whom you ask? Illegal aliens. The mayor was celebrating that he is prioritizing criminal illegal aliens above the constituents he purports to protect. Who are the criminals he’s protecting?” These same officials then answer their own question: “In an operation from May 25, 2017 – these are just some of the crimes that ICE has arrested criminal aliens for in Pennsylvania.” The email then includes a “List of crimes.” [Read the document here.](#)

CASE PROFILE #1 FAMILY SEPARATION POLICY

In June 2018, the Department of Homeland Security **issued** a “Myth vs. Fact” sheet on the Trump administration’s Zero-Tolerance Policy, falsely asserting that it was a “Myth” that DHS has a policy to separate families at the border. “DHS does not have a blanket policy of separating families at the border.”

This document was part of an attempt to make the public disbelieve the widespread reports, photographs, and footage of separated families at the time, and was belied by DHS’s own data showing nearly 2,000 instances of family separation. The obfuscation by DHS violated its obligations to meet basic information standards under the **Information Quality Act**.

As a result, Democracy Forward sent a letter to DHS under the IQA **demanding** that the Trump administration retract these false statements on its family separation policy. The Department never retracted these statements.

CASE PROFILE #2 MISLEADING AND BIASED CLAIMS LINKING IMMIGRATION TO TERRORISM

On January 16, 2018, the Departments of Justice and Homeland Security **issued** a joint terrorism report that distorted the data on the threat of terrorism to misleadingly inflate the role of immigrants in committing terrorist acts against the United States. To artificially jack up their data, the Trump-led agencies included nearly 150 naturalized U.S. citizens in their accounting and individuals whose only apparent tie to the United States was their extradition to the United States to be prosecuted for terrorism.

The report’s assertion that 73 percent of individuals convicted of international terrorism-related offenses were foreign-born was based on an unreliable methodology and misleading interpretation of the data. These distortions violated the **DHS** and **DOJ**’s obligations under the **Information Quality Act**. As a result, **we sued** the agencies for noncompliance with the IQA.

In response to administrative appeals filed by Democracy Forward and its coalition partners, the Department of Justice **admitted** that its joint terrorism report with the Department of Homeland Security contained a number of misleading assertions that “could be criticized” for failing to “promote the perception of objectivity.” The agencies further acknowledged that the data required more careful disaggregation and context presented to the public. However, they, nonetheless, **refused to correct** the report.

Conclusion

On the anniversary of January 6, 2021, the documents highlighted in this *Records Release* provide examples of the relationship between the Trump administration and right-wing media outlets and how Trump-era officials sought to corrupt public information on a range of issues, including COVID-19, tax policy, immigration issues, and environmental policy. The records show corruption of public information on matters of great public importance and that this conduct was not simply confined to the White House. It occurred throughout the federal government.

The events leading up to and on January 6, 2021 did not happen in isolation. The culture of misinformation that existed during the Trump administration was toxic to democracy. Throughout our investigation, we have called on federal agencies to take a closer look at these issues and to ensure that this kind of culture does not take hold again.

Democracy depends on a government that works for all people. Only in learning from what has transpired and taking steps to prevent it from repeating itself can we ensure an accountable government for present and future generations.

About Democracy Forward

Democracy Forward uses the law to challenge abuses of power and to fight for good government on behalf of all Americans. Over the course of Donald Trump's four years in office, Democracy Forward filed more than 650 legal cases, letter requests, and investigative demands, exposing a number of ways that the Administration sought to undermine American democracy and the wellbeing of the American people. Building on its early successes, Democracy Forward is expanding the scope and reach of its work, using innovative legal strategies to meet the moment at this critical inflection point in American democracy.

APPENDIX: Index of Relevant Laws

Anti-Covert Government Propaganda Restriction

Most appropriations statutes enacted since 1951, including those in effect at the time of the creation of the documents released in this report, have contained general **prohibitions** on the use of appropriated funds, directly or indirectly, for “publicity or propaganda purposes.” The Government Accountability Office (GAO) **has interpreted** such provisions to prohibit the government from engaging in “covert propaganda.” Under GAO’s longstanding interpretation, a critical element of covert propaganda is the agency’s concealment from the target audience of its role in creating the material.

Anti-Lobbying Act

The **Anti-Lobbying Act of 1919** prohibits government officials and employees from communicating with private citizens to encourage them to lobby Congress. Specifically, the law states that: “No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress.”

The Anti-Lobbying Act is violated when government officials appeal to entities outside government to use their influence to persuade members of Congress to support or defeat legislation.

Information Quality Act

The **Information Quality Act**—or the Data Quality Act—requires that information disseminated to the public by federal agencies be of requisite quality, objectivity, utility, and integrity. The **guidelines implementing** the IQA define these requirements as ensuring information is presented in its proper context to ensure an accurate, clear, complete, and unbiased presentation.

Privacy Act of 1974

The **Privacy Act** regulates the collection, maintenance, use, and dissemination of personal information by federal agencies and **prohibits** agencies from disclosing “any record which is contained in a system of records . . . except . . . with the prior written consent of, the individual to whom the record pertains.” The Act **defines** a record to be “any item, collection, or grouping of information about an individual that is maintained by an agency.” The law “generally covers citizens and lawful permanent residents, but others have some protections.”

Moreover, DHS regulations and policies **restrict** the Department’s authority to disclose information related to asylees and refugees. DHS regulations prohibit the disclosure of “information contained in or pertaining to any asylum application,” including “records . . . that indicate that a specific alien has applied for asylum” to third parties absent written consent of the asylum applicant. The regulation contains limited exceptions for disclosures to U.S. government officials and federal, state, and local courts. Further, as a matter of **policy**, “DHS has extended the application of the asylum confidentiality regulations to information contained in or pertaining to refugee applications.”