Biden-Era Conservative Media Blacklist Killed in Court Victory

A federal judge on Wednesday entered a binding consent decree against the State Department, ending years of government-funded efforts to blacklist and defund conservative news outlets, and placing The Daily Wire and The Federalist in charge of monitoring compliance through 2036.

The order concludes a lawsuit filed in 2023 by The Daily Wire and The Federalist against the Biden administration's State Department. The plaintiffs, represented by the New Civil Liberties Alliance, alleged that the department's Global Engagement Center used taxpayer dollars to promote third-party firms that systematically labeled conservative media as "disinformation" and pressured advertisers to pull funding from those outlets.

In a historic admission, the State Department has publicly acknowledged through the consent decree that the speech it previously sought to suppress, including coverage by The Daily Wire and The Federalist, is protected by the First Amendment.

"Today marks an important day for preserving free speech in the digital era," said Daily Wire CEO Caleb Robinson. "The U.S. government has acknowledged its censorship structures under the Biden administration, and will now be subject to limitations on similar behavior in the future."

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Under the terms of the settlement, the State Department is prohibited from using technologies to "knowingly or intentionally suppress, censor, demonetize, or downgrade the constitutionally protected speech of Americans or domestic media outlets," or from recommending that third parties do so. The Daily Wire and The Federalist will serve as compliance monitors, empowered to flag future violations.

The Global Engagement Center, which operated on a budget of more than $50 million per year, worked with more than 30 vendors that assigned reputability scores to news outlets. Outlets that covered COVID policy critically, questioned election integrity, reported on abortion, or covered transgender policy received low scores. Liberal outlets like ProPublica were rated among the "least risky," while conservative outlets including the New York Post, The Federalist, The Daily Wire, and Reason Magazine were rated among the "riskiest."

One of the GEC's key partners was NewsGuard, a media rating firm that sold its outlet rankings to advertisers. Its co-CEO described the company as "empowering governments to support quality journalism and systemically defund sources of harmful misinformation."

Another partner, the Global Disinformation Index, received a cash award from the GEC and described its mission as helping the "ad-tech space" steer advertisers away from disfavored outlets. Daily Wire co-founder Ben Shapiro said the effort "fed basically a blacklist of sites to advertisers so that advertisers would want to pull their money" and "deprived groups and organizations like the Daily Wire of legitimately millions of dollars in advertising."

The lawsuit argued the Biden administration deliberately routed its censorship effort through third-party organizations to insulate it from First Amendment scrutiny. One such intermediary was Park Capital Investment Group, a firm helmed by a former State Department employee, which court filings suggest was used to obscure the government's role.

Congress defunded the Global Engagement Center in 2024 amid scrutiny from the lawsuit. But Secretary of State Marco Rubio disclosed in April 2025 that the Biden administration had moved GEC staff to a similar office performing similar functions. Rubio subsequently issued layoff notices to all of those employees and announced the dismantling of the entire apparatus.

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