

Complaint details

Identification number: 923915716105-08

Organisation name: Information Technology and Innovation Foundation

Clause(s) allegedly breached: a) always identify themselves by name and, by registration number, if applicable, and by the entity or entities they work for or represent; declare the interests, objectives or aims they promote and, where applicable, specify the clients or members whom they represent;

d) ensure that, to the best of their knowledge, information, which they provide upon registration, and subsequently in the framework of their activities covered by the register, is complete, up-to-date and not misleading; accept that all information provided is subject to review and agree to co-operate with administrative requests for complementary information and updates;

Attachments: Email exchange between CEO and CDI.pdf; Email exchange between CDI and MEP.pdf; List of US tax exempt organisations that have declared funding Information Technology and Innovation Foundation since 2010.pdf;

Information: ITIF is registered in the Transparency Register as an independent think tank without any affiliation or members. However, there is evidence that tech firms and their lobby groups are affiliated with the think tank – from having founded, funding and overseeing its work. Some firms even describe themselves as members.

However, ITIF does not disclose these links which violates the requirement to always identify "the interests, objectives or aims they promote and, where applicable, specify the clients or members whom they represent" (article a) and its entry is incomplete and misleading (article d).

ITIF's declared mission is to "formulate, evaluate, and promote policy solutions that accelerate innovation and boost productivity to spur growth, opportunity, and progress". This seems to entail promoting specific policy recommendations with officials and policy-makers by participating in public consultations, debates and lobby meetings. Public logs show nine meetings with Commission senior officials since 2014. For 2018-2019, ITIF declared a budget of over 4 million euros, of which less than 99,000 euros was spent lobbying the EU Institutions. The majority of ITIF's budget originates from contributions and grants but ITIF does not disclose who funds them. ITIF's entry also fails to list its affiliation with another registered entity, the Center for Data Innovation (a separate complaint on the CDI has been submitted). As far as can be seen, CDI and ITIF share resources, funding and structure.

Neither CDI or ITIF list the names of members or funders in their TR entries or websites. However, there is reason to believe that it is affiliated with tech firms and their lobby groups. In concrete:

- Two companies state they are members/affiliated with either CDI or ITIF - Google (03181945560-59) and VMware (ID 922046321682-57)

- CDI has told MEP Alexandra Geese that "Our membership includes a diverse range of corporations from various industries, government agencies, charitable foundations, and individual contributors. Our staff, board of directors, and honorary co-chairs come from a range of political backgrounds and represent varying points of view. If you check our board of directors (<https://itif.org/people/board>), it could give you a good idea of the type of supporters. "

- ITIF's board is made up mostly of representatives of public relations/lobbying teams for Big Tech firms such as Google, Microsoft, Apple, Amazon, lobby group ITI and lobby consultancies like Burson-Marsteller and Arent Fox (chair of the Board) <https://itif.org/people/board>

- The tech lobby group Information Technology Industry Council (ITI – 061601915428-87) says in its website that in 2006 several of its member companies got together to launch ITIF https://www.itic.org/about/our-history?host_id=f31e7e98-8ff7-4ee5-a4b9-6ca62662ce62

- According to their websites and tax forms, ITIF and lobby group ITI share the same US address

- Press reports reported that ITIF's launch was a part of Big IT Vendors' lobbying strategy, mostly backed by lobby group ITI

<https://www.informationweek.com/desktop/big-it-takes-step-to-influence-tech-policy-in-us/d/d-id/1041773?>

- While not all funders are known, US tax forms show that since there has been public data, ITIF receives yearly contributions from industry lobby groups like ITIC (list attached).

As per Article a) and the implementation guidelines, registered actors should disclose member or affiliated groups. If the above links are correct, according to the implementation guidelines, it should be assessed whether ITIF should be remain registered as a think tank or if their activities are more in line with the category Trade and Business Associations "Organisations (either profit or non-profit making themselves) representing profit-making companies or mixed groups and platforms".

Was any harm caused to the complainant?

Yes

Comments:

The lack of transparency over the ITIF's links with tech firms and their lobby groups is particularly concerning as it is an active EU lobbyist. CDI and ITIF have been able to contribute to tech policy debates and consultations without ever disclosing that the companies that founded, funded and oversee it would be directly affected by these decision-making processes.

The failure to disclose its links to tech lobbies helps give the think tank an undeserved veneer of independence that seems to not reflect reality. It is difficult to quantify harm in these terms but it seems clear that CDI has held several interactions with EU officials and policy-makers were not aware of its relationship with corporate interests.

Was the non-compliance intentional?

Yes

Comments:

As per exchanges with the CDI's representatives, not disclosing members or affiliated seems to be an intentional decision by the think tank.

Confidentiality: I authorise the Commission to divulge my identity as part of the administrative procedures necessary to verify the complaint.