



One Hundred Nineteenth Congress  
U.S. House of Representatives  
Committee on Foreign Affairs  
2170 Rayburn House Office Building  
Washington, DC 20515

May 27, 2025

The Honorable Ursula von der Leyen  
President  
European Commission  
Rue de la Loi / Wetstraat 200  
1049 Brussels, Belgium

Dear President von der Leyen:

We write to express profound alarm over reported developments in Poland that may undermine the integrity of its democratic processes, particularly as the country approaches the second round of its presidential election on June 1, 2025. Reports of foreign-funded political advertisements favoring Rafał Trzaskowski, the Civic Coalition (KO) candidate backed by Prime Minister Donald Tusk, that may have occurred in contravention of Polish law, combined with the Tusk government's reported monthslong refusal to comply with court orders to release public funding to the opposition Law and Justice (PiS) party, suggest a deliberate effort to tilt the electoral playing field.<sup>1</sup> These actions, occurring under the European Commission's watch, expose a troubling double-standard in the EU's approach to Poland's rule of law, which demands your urgent attention.

On May 15, an investigation by a leading Polish publication reported that a Polish NGO, which received funding from organizations funded by U.S. Democratic Party megadonor George Soros' Open Society Foundations, facilitated the production of social media advertisements promoting Trzaskowski and discrediting his rivals, PiS-backed Karol Nawrocki and Confederation-backed Sławomir Mentzen.<sup>2</sup> Several sources also reported that Estratos Digital GmbH—a Vienna-based firm majority-owned by Higher Ground Labs, a U.S. fund operated by

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<sup>1</sup> Krzysztof Mularczyk, *Polish PM Tusk refuses to fund opposition despite court order*, BRUSSELS SIGNAL (Jan. 2, 2025); Daniel Tilles, *Polish NGO Implicated in Alleged "Illegal Election Ads" Favoured Frontrunner Trzaskowski*, NOTES FROM POL. (May 15, 2025); *Deep Ties Between Polish NGOs and Foreign Firm Behind Illegal Ads Supporting Trzaskowski*, POL. DAILY 24 (May 15, 2025); RRWR Editorial Team, *Poland's Election Scandal: Soros, Democrats, Germany and Secret Funding Exposed*, Rock16.2 Rock Rachon (May 15, 2025).

<sup>2</sup> Szymon Jadczyk & Patryk Słowik, *Ujawniamy. Ingerencja w wybory, spoty bez autora i Akcja Demokracja* (Translation: *We reveal. Interference in elections, unauthorised spots and Democracy Action*), WIRTUALNA POLSKA (May 15, 2025); RRWR Editorial Team, *Poland's Election Scandal: Soros, Democrats, Germany and Secret Funding Exposed*, Rock16.2 Rock Rachon (May 15, 2025).

major Democratic Party operatives who helped run the U.S. presidential campaigns of Barack Obama, Hillary Clinton, and Kamala Harris—was behind the approximately 420,000 PLN (\$105,000 USD) in allegedly “illegal political ads” posted by the Polish NGO on Facebook since April 10, 2025 in support of Trzaskowski.<sup>3</sup> Estratos is the same organization that reportedly played a key role backing the anti-Viktor Orban opposition in Hungary’s 2022 elections, allegedly “concealing campaign financing sources, raising additional red flags about their operations in Poland.”<sup>4</sup>

Equally disturbing are reports of the Tusk government’s monthslong refusal to release tens of millions of dollars in public campaign funding that PiS is legally entitled to receive, defying a ruling by the Supervisory Chamber of Poland’s Supreme Court, a payment demand from Poland’s National Electoral Commission, and an opinion by Poland’s Ombudsman (Human Rights Commissioner) Marcin Wiąca to release the money.<sup>5</sup> Further, by withholding these funds, the Tusk administration appears to be attempting to cripple PiS’s ability to compete fairly in the presidential election and violating the rule of law.

The European Union, as a guarantor of democratic standards and human rights under the Treaty on European Union, has a responsibility to ensure that member states uphold the rule of law.<sup>6</sup> Yet, despite the European Commission’s vocal criticism and decision to withhold over \$150 billion from Poland for alleged rule of law violations under the previous PiS government, it has remained conspicuously silent despite clear evidence of rule of law violations under Tusk’s administration.<sup>7</sup> In fact, in February 2024—after the Tusk government ousted and installed a new National Prosecutor without President Duda’s approval in reported violation of Polish law—the European Commission, under your direction, released \$7.1 billion (€6.3 billion) of the funds it had been withholding from the PiS government despite the fact that the Tusk government had not yet implemented any of the “milestones” the EU had demanded the previous PiS government complete for their release.<sup>8</sup> This selective enforcement—condemning and sanctioning PiS while

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<sup>3</sup> *Id.*

<sup>4</sup> *See, e.g., id.*

<sup>5</sup> Krzysztof Mularczyk, *Polish PM Tusk refuses to fund opposition despite court order*, BRUSSELS SIGNAL (Jan. 2, 2025).

<sup>6</sup> *See* Treaty on European Union (TEU), OJ C 202, 7 June, 2016, p. 17 (art. 2); p. 19-20 (art. 7).

<sup>7</sup> Artur Ciechanowicz, *Donald Tusk’s anti-democracy handbook: How to capture a state, dismantle the rule of law and not get persecuted by the European Commission*, MCC BRUSSELS (Dec. 11, 2024) (noting that Donald Tusk’s “unprecedented assault on the rule of law” has been “met with conspicuous silence from Ursula von der Leyen’s European Commission, which previously imposed severe sanctions on Poland for alleged rule-of-law violations under the former PiS-led government.”); Zselyke Csaky, *Freezing EU Funds: An Effective Tool to Enforce the Rule of Law?*, CENTRE FOR EUROPEAN REFORM (Feb. 27, 2025) (noting that the Commission deployed its “rule of law conditionality” to suspend “€136 billion [\$153.7 billion] to Poland, amounting to around 17 per cent of its GDP” under the PiS government due to alleged “rule of law violations” arising out of reforms to the judiciary); Hans von der Burchard, *Commission, 5 EU members clash in court with Poland over rule of law*, POLITICO (Dec. 1, 2020) (noting that the “Commission has repeatedly warned of Polish backsliding on rule of law and launched Article 7 disciplinary proceedings against Warsaw in December 2017” as well as “several infringement procedures against Poland.”); *The rule of law is under threat in Poland*, CTR. FOR FUNDAMENTAL RIGHTS (Oct. 18, 2024).

<sup>8</sup> Jorge Liboreiro, *Poland ends long wait and gets first payment of EU recovery funds: €6.3 billion*, EURONEWS (Apr. 15, 2024); *Tusk and von der Leyen accused of ‘collusion’ over EU funds for Poland*, BRUSSELS SIGNAL (Apr. 16, 2024); *The rule of law is under threat in Poland*, CTR. FOR FUNDAMENTAL RIGHTS (Oct. 18, 2024).

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ignoring Tusk's actions—suggests a double standard that could undermine the EU's credibility as a guardian of democratic principles.

These developments also raise critical questions about the integrity of Poland's democratic institutions and the EU's role in ensuring fair elections. To address these concerns, we respectfully request that your staff arrange a briefing to answer the following questions:

1. What entities provided the \$105,000 (420,000 PLN) used for the Facebook advertisements promoting Rafał Trzaskowski, and did any of these funds originate from foreign sources in violation of Polish electoral law?
2. What role, if any, did Estratos Digital GmbH and its U.S.-based owner, Higher Ground Labs, play in coordinating or financing these advertisements, and to what extent were U.S. Democratic Party operatives directly involved?
3. How does the Commission justify its failure to address the Tusk government's refusal to release millions of dollars in court-ordered funding to PiS, given its prior sanctions against the prior PiS government for rule-of-law violations?
4. Why has the Commission remained silent on Finance Minister Andrzej Domański's defiance of Poland's Supreme Court, National Electoral Commission, and Ombudsman rulings, given its previous vocal criticism and aggressive actions against the PiS government?
5. What oversight mechanisms, if any, has the Commission implemented to prevent foreign-funded NGOs, such as those linked to George Soros' Open Society Foundations, from influencing Poland's 2025 presidential election?

To schedule the briefing, please contact Committee staff at (202) 226-8467. Thank you for your prompt attention to this matter.

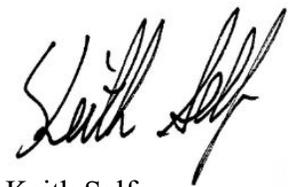
Sincerely,



Brian Mast  
Chairman  
House Committee on Foreign Affairs



Chris Smith  
Chairman  
Subcommittee on Africa



Keith Self  
Chairman  
Subcommittee on Europe



Darrell Issa  
Member of Congress



Tim Burchett  
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Warren Davidson  
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