

ONE HUNDRED SEVENTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON THE JUDICIARY  
2138 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6216  
(202) 225-3951  
judiciary.house.gov

March 31, 2022

Mr. Parag Agrawal  
Chief Executive Officer  
Twitter, Inc.  
1335 Market Street, Suite 900  
San Francisco, CA 94103

Dear Mr. Agrawal:

Shortly before the 2020 election, Twitter suppressed an explosive *New York Post* article detailing how Hunter Biden used the position and influence of his father, now-President Biden, for personal gain, with the apparent awareness of President Biden. We wrote to Twitter at the time with important questions about Twitter's knowing suppression of First-Amendment-protected activity.<sup>1</sup> Twitter ignored our letter and, in the months since, has avoided any meaningful accountability for its actions. Now, with even the *New York Times* confirming the accuracy of the *Post*'s reporting,<sup>2</sup> we are investigating Twitter's actions to interfere in free and fair election-related public discourse on its platform to the benefit of President Biden and the detriment of former President Trump.

Although the *Post* article concerned a topic of importance to many voters in the run-up to the election,<sup>3</sup> Twitter still censored it.<sup>4</sup> Twitter locked the *Post*'s account, blocked users from

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<sup>1</sup> Letter from Rep. Jim Jordan, Ranking Member, H. Comm. on the Judiciary, to Mr. Jack Dorsey, CEO, Twitter, Inc. (Oct. 15, 2020).

<sup>2</sup> Katie Benner et al., *Hunter Biden Paid Tax Bill, but Broad Federal Investigation Continues*, N.Y. TIMES, Mar. 16, 2022; Emma-Jo Morris & Gabrielle Fonrouge, *Smoking-gun email reveals how Hunter Biden introduced Ukrainian businessman to VP dad*, N.Y. POST, Oct. 14, 2020.

<sup>3</sup> James Anthony, *FLASHBACK: 16% of Biden voters would have voted differently if Hunter Biden laptop story was not suppressed by media, big tech*, POST MILLENNIAL, Mar. 17, 2022 ("After the *New York Post*'s reporting on Hunter Biden's laptop was suppressed, a poll was released showing that 16 percent of voters who were unaware of the laptop scandal would have not voted for Biden had they known about it at the time."); Timothy P. Carney, *Yes, they lied about Hunter Biden's laptop. So what are they lying about now?*, WASH. EXAMINER, Mar. 17, 2022 ("This story was highly relevant to the presidential election going on that year. It showed how Joe Biden's family used his power to gain riches, and how Biden thought there was nothing wrong with it."); Gerard Baker, Opinion, *Hunter Biden's Laptop and America's Crisis of Accountability*, WALL ST. J., Mar. 21, 2022 ("[E]nough influential people in and out of government . . . were so alarmed that it [the *Post*'s reporting] would affect the outcome that they pulled off one of the greatest disappearing tricks since Harry Houdini made that elephant vanish from a New York stage.").

<sup>4</sup> Jessica Bursztynsky, *Twitter CEO Jack Dorsey says blocking New York Post story was 'wrong,'* CNBC, Oct. 16, 2020.

sharing the link to the article, and even labeled the material “unsafe” for users.<sup>5</sup> Twitter also censored the official House Judiciary Committee website, where we reposted the article so the public could access it without Twitter’s interference. Although Twitter’s former CEO admitted that Twitter’s censorship actions were “wrong,”<sup>6</sup> Twitter continues to censor political speech in a manner that suppresses conservative voices.

The *Post* article was likely to have significant implications for the presidential election. It detailed how Hunter Biden leveraged his father’s influence as then-Vice President for personal gain. When Hunter Biden served on the board of Burisma, a Ukrainian company, a company executive asked him to “use [his] influence” to stop a domestic Ukrainian investigation into Burisma.<sup>7</sup> Another time, the same executive thanked Hunter Biden for arranging a meeting with then-Vice President Biden.<sup>8</sup> Eight months after that, Vice President Biden pressured the Ukrainian government to fire a prosecutor who was investigating Burisma,<sup>9</sup> a firing about which Vice President Biden later bragged.<sup>10</sup> The *Post* article challenged President Biden’s claim that he had “never spoken to [his] son about his overseas business dealings.”<sup>11</sup>

Although the *Post* explained exactly how it obtained the emails on which it reported,<sup>12</sup> Twitter still suppressed the article—going so far as to lock the *Post*’s account and the account of any user who tried sharing the article—because the article supposedly violated Twitter’s “Hacked Materials Policy.”<sup>13</sup> The mainstream media followed Twitter’s lead, wrongly claiming the *Post* story was “disinfo” and unverified.<sup>14</sup> Twitter also claimed that it censored the article because it included images of “personal and private information.”<sup>15</sup> But when we posted the article on our website without personal or private information, Twitter censored us too.

It appears that Twitter knowingly and deliberately used its platform to control election-related information accessible to the American people shortly before the 2020 election, and that Twitter did so to the primary benefit of then-Vice President Biden. Twitter’s actions helped shield Vice President Biden from increased scrutiny about the impropriety detailed in the *Post* article. In addition, Twitter’s actions gave rise to other news outlets, tech platforms, and even

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<sup>5</sup> Noah Manskar, *Twitter, Facebook censor Post over Hunter Biden expose*, N.Y. POST, Oct. 14, 2020; Joe Concha, Opinion, *Media’s pre-election burial of Hunter Biden story proves dereliction of duty*, THE HILL, Dec. 11, 2020 (“Twitter went through the Orwellian exercise of locking the New York Post’s Twitter account while initially demanding that the country’s oldest newspaper delete its original tweet or stay in social-media lockdown for the foreseeable future. The locked accounts also extended to those who shared the Post’s reporting . . .”).

<sup>6</sup> Bursztynsky, *supra* note 4.

<sup>7</sup> Morris & Fonrouge, *supra* note 2.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*; see also Council on Foreign Relations, Foreign Affairs Issue Launch with Former Vice President Joe Biden (Jan. 23, 2018).

<sup>11</sup> Morris & Fonrouge, *supra* note 2.

<sup>12</sup> *Id.*

<sup>13</sup> Manskar, *supra* note 5.

<sup>14</sup> Concha, *supra* note 5 (listing news sources that downplayed or tried to cast doubt on the *Post* story); see also Nikolas Lanum, *FLASHBACK: MSNBC, CNN, CBS told viewers Hunter Biden laptop story was Russian disinformation*, FOX NEWS, Mar. 21, 2022.

<sup>15</sup> Manskar, *supra* note 5.

Biden himself dismissing the *Post* story as disinformation or untrue—when, in fact, it had never been rebutted. This irresponsible conduct demands a thorough investigation so that we may understand how Big Tech wields its enormous power over the free flow of information to the detriment of free and fair elections.

Big Tech is out to get conservatives. Twitter’s suppression of the *Post* article detailing Biden family wrongdoing only underscores that point. Given the importance of these issues, we request the following documents and information:

1. All documents and communications between October 1, 2020, and the present referring or relating to Twitter’s decision to reduce the dissemination of the *New York Post* article on its platform and what factors Twitter considered in this decision.
2. All documents and communications between October 1, 2020, and the present referring or relating to Twitter’s determination that the *New York Post* article violated its “Hacked Materials Policy.”
3. All documents and communications between October 1, 2020, and the present referring or relating to Twitter’s decision to censor the House Judiciary Committee’s website for reposting the *New York Post* article.
4. All documents and communications between October 1, 2020, and the present between or among any employee or contractor of Twitter and any individual affiliated with the Biden campaign or the Democrat National Committee referring or relating to Twitter’s decision to reduce the dissemination of the *New York Post* article on its platform.
5. All documents and communications between October 1, 2020, and the present between or among any employee or contractor of Twitter and any employee or contractor of any other social media company referring or relating to Twitter’s decision to reduce the dissemination of the *New York Post* article on its platform.
6. All documents and communications between October 1, 2020, and the present between or among any employee or contractor of Twitter and any employee or contractor of any media organization referring or relating to Twitter’s decision to reduce the dissemination of the *New York Post* article on its platform.
7. All documents and communications between October 1, 2020, and the present referring or relating to Twitter’s decision to report, or not report, its actions to the Federal Election Commission as an in-kind contribution to the Biden campaign.
8. Identify which employee(s) of Twitter made the decision to reduce the dissemination of the *New York Post* article on its platform.

Mr. Parag Agrawal

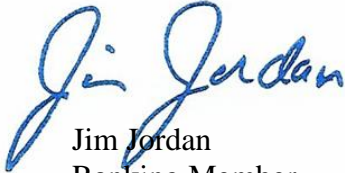
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9. Explain how Twitter's actions in reducing the dissemination of the *New York Post* article on its platform is not a publisher function for purposes of section 230 of the Communications Decency Act.

Please produce these documents and information as soon as possible but no later than 5:00 p.m. on April 14, 2022. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan  
Ranking Member



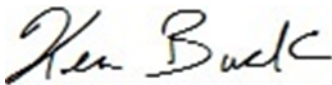
Steve Chabot  
Member of Congress



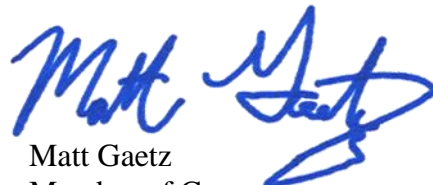
Louie Gohmert  
Member of Congress



Darrell Issa  
Ranking Member  
Subcommittee on Courts, Intellectual  
Property, and the Internet



Ken Buck  
Ranking Member  
Subcommittee on Antitrust, Commercial  
and Administrative Law



Matt Gaetz  
Member of Congress



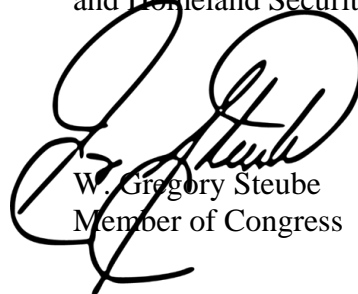
Mike Johnson  
Ranking Member  
Subcommittee on the Constitution,  
Civil Rights and Civil Liberties



Andy Biggs  
Ranking Member  
Subcommittee on Crime, Terrorism  
and Homeland Security



Tom McClintock  
Ranking Member  
Subcommittee on Immigration  
and Citizenship

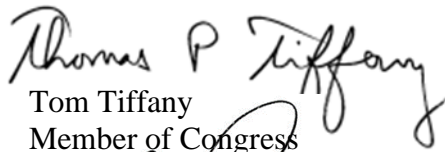


W. Gregory Steube  
Member of Congress

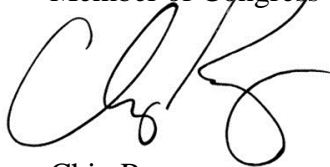
Mr. Parag Agrawal

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Tom Tiffany  
Member of Congress



Chip Roy  
Member of Congress



Michelle Fischbach  
Member of Congress



Scott Fitzgerald  
Member of Congress



Burgess Owens  
Member of Congress



Thomas Massie  
Member of Congress



Dan Bishop  
Member of Congress



Victoria Spartz  
Member of Congress



Cliff Bentz  
Member of Congress

cc: The Honorable Jerrold L. Nadler, Chairman