

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515-6216
One Hundred Sixteenth Congress

October 15, 2020

Mr. Jack Dorsey
Chief Executive Officer
Twitter, Inc.
1355 Market Street, Suite 900
San Francisco, CA 94103

Dear Mr. Dorsey:

On October 14, 2020, the *New York Post* published an explosive report detailing how Hunter Biden used the influence of his father, then-Vice President Joe Biden, for personal gain—apparently with Vice President Biden’s awareness.¹ This article also casts doubts on Vice President Biden’s earlier denial of ever speaking to Hunter Biden about his international business dealings.² Despite the article’s obvious relevance to public policy, congressional investigations, and the upcoming presidential election, Twitter prevented its users from sharing the link to the *Post*’s article and appended a warning notice when users clicked on the link, calling the material “unsafe.”³ Twitter also censored the official House Judiciary Committee website, where we had reposted the *Post* article in an effort to enable the public to access the article around Twitter’s information control. Twitter’s intervention to stop the dissemination of election-related information in a way that helps Vice President Biden’s candidacy raises serious questions about election interference and reinforces the fact that Big Tech is biased against conservatives.

The *Post* article reported on Hunter Biden’s email correspondence with Vadym Pozharskyi, an executive at the corrupt Ukrainian company Burisma, whose board Hunter Biden had joined in April 2014.⁴ In a May 2014 email, Pozharskyi urged Biden to leverage his influence to help Burisma and its founder Mykola Zlochevsky stop a domestic Ukrainian investigation into the company:

We urgently need your advice on how you could use your influence to convey a message / signal, etc. to stop what we consider⁵ to be politically motivated actions
.....⁵

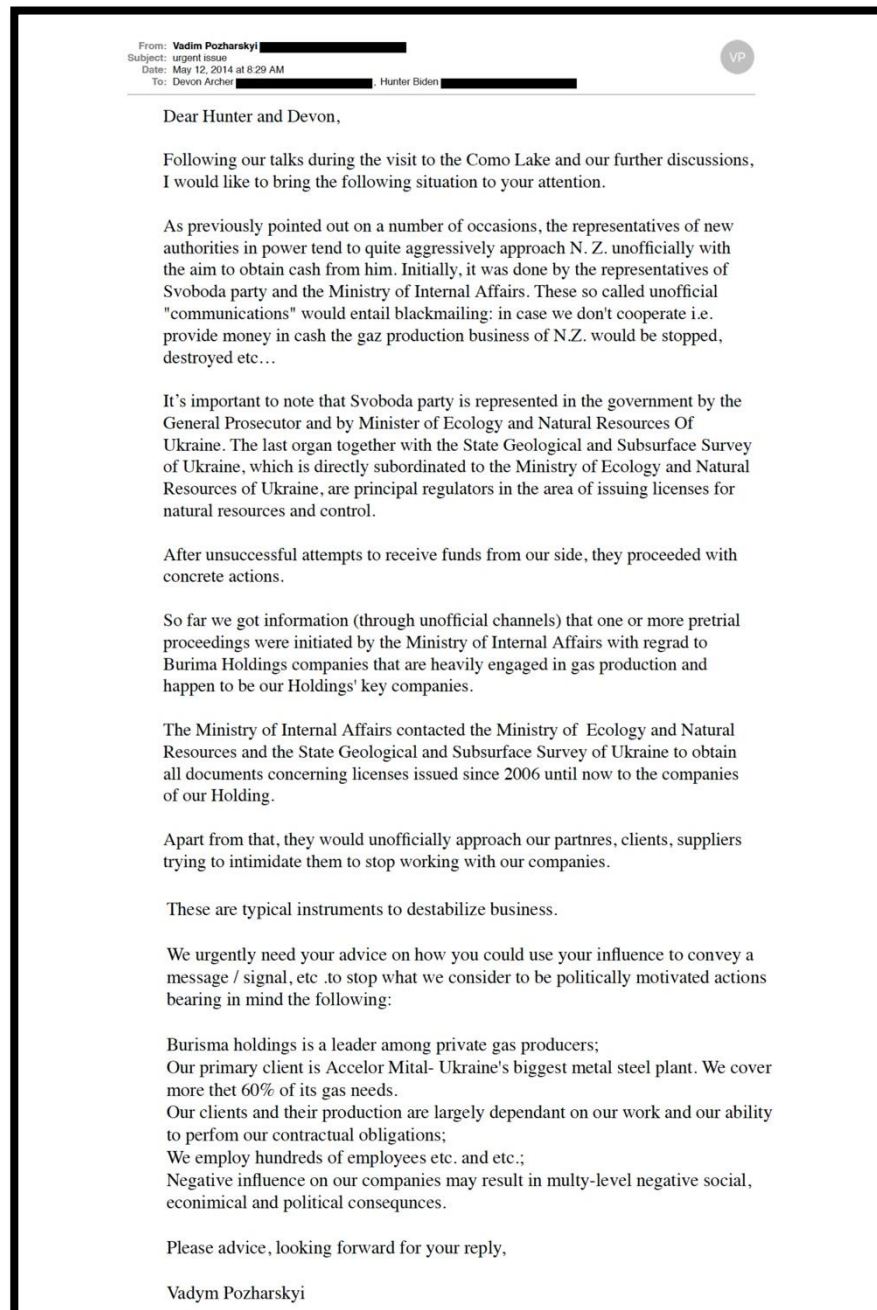
¹ Emma-Jo Morris & Gabrielle Fonrouge, *Smoking-gun email reveals how Hunter Biden introduced Ukrainian businessman to VP dad*, N.Y. Post, Oct. 14, 2020.

² E.g. Nick Givas, *Joe Biden again denies speaking to son about Ukrainian business dealings*, Fox News, Oct. 10, 2019.

³ Noah Manskar, *Twitter, Facebook censor Post over Hunter Biden expose*, N.Y. Post, Oct. 14, 2020.

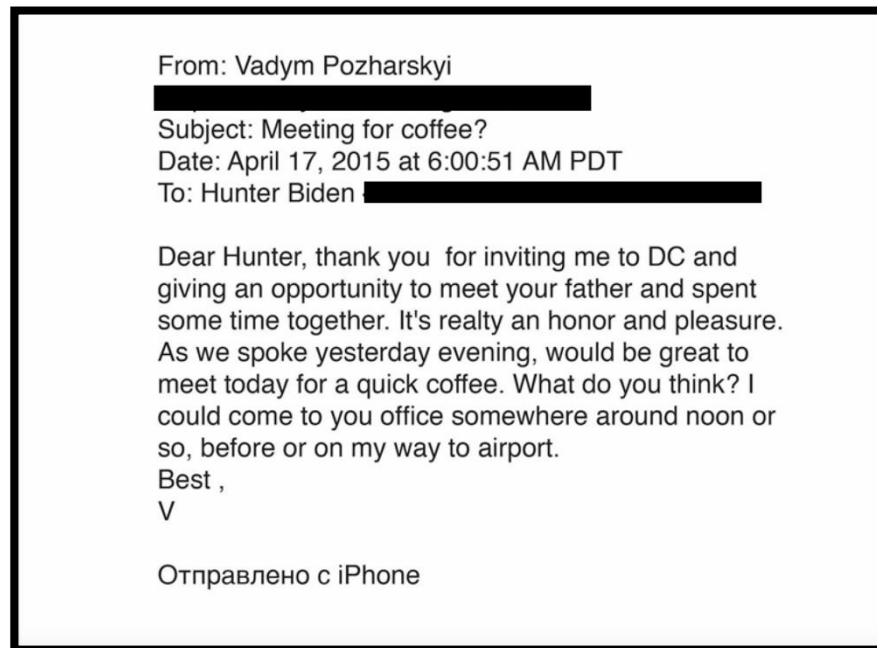
⁴ Morris & Fonrouge, *supra* note 1.

⁵ *Id.*



Separately, in an April 2015 email, Pozharskyi thanked Hunter Biden for arranging a meeting with Vice President Biden, calling it “an honor and pleasure.”⁶

⁶ *Id.*



Eight months later, in December 2015, Vice President Biden pressured the Ukrainian government to fire the prosecutor who was investigating Burisma by threatening to withhold U.S. loan guarantees—a *quid pro quo* about which Vice President Biden later bragged.⁷

The information reported by the *Post* supplements other recent revelations about Hunter Biden’s shady international business dealings. A report by Chairman Ron Johnson and Chairman Chuck Grassley based on U.S. Treasury Department documents showed “potential criminal activity relating to transactions among and between Hunter Biden, his family, and his associates with Ukrainian, Russian, Kazakh, and Chinese nationals.”⁸ In particular, Hunter Biden allegedly received \$3.5 million from the wife of the former mayor of Moscow,⁹ and he also allegedly sent “thousands of dollars” to individuals involved in human trafficking and organized prostitution.¹⁰

The *Post*’s reporting also supplements other news reports about Hunter Biden’s position with Burisma. According to the *New York Times*, Hunter Biden was “part of a broad effort by Burisma to bring in well-connected Democrats during a period when the company was facing investigations backed not just by domestic Ukrainian forces but by officials in the Obama administration.”¹¹ The *Wall Street Journal* reported in December 2015 that Ukrainian anti-

⁷ *Id.*; see also Council on Foreign Relations, Foreign Affairs Issue Launch with Former Vice President Joe Biden (Jan. 23, 2018).

⁸ S. Comm. on Homeland Security & Governmental Affairs & S. Comm. on Finance, Hunter Biden, Burisma, and Corruption: The Impact on U.S. Government Policy and Related Concerns 65 (Sept. 2020), available at https://www.hsgac.senate.gov/imo/media/doc/HSGAC_Finance_Report_FINAL.pdf.

⁹ *Id.* at 69.

¹⁰ *Id.* at 65 & n. 267.

¹¹ Kenneth P. Vogel & Iuliia Mendel, *Biden faces conflicts of interest questions that are being promoted by Trump and allies*, N.Y. Times, May 1, 2019.

corruption activists complained “some anticorruption campaigners here [in Kyiv] worry the link with Mr. Biden may protect Mr. Zlochevsky from being prosecuted in Ukraine.”¹²

Shortly after the *New York Post* published its article about Hunter Biden and Vice President Biden, Twitter began preventing the dissemination of the article on its platform.¹³ Twitter even locked out the *Post* from its account, preventing the paper from providing additional information to its followers.¹⁴ Twitter claimed that it censored the *Post* article because it violated Twitter’s “Hacked Materials Policy,” without any indication that the information was obtained through a “hack”—in fact, the *Post* reported specifically about how it came to obtain the emails.¹⁵ Twitter also claimed that it censored the *Post* article because it included images of “personal and private information.”¹⁶ However, Twitter also censored the website of the House Judiciary Committee, where we had reposted the *Post* article without images containing any personal or private information.

Twitter’s explanation appears to be an after-the-fact rationalization for its election interference and censorship. Notably, neither Hunter Biden nor the Biden campaign have denied the authenticity of the emails reported by the *Post*.¹⁷ Twitter’s decision to affirmatively restrict the availability of election-related information—and in a manner that helps Vice President Biden avoid scrutiny—raises serious questions about Twitter’s interference in free and fair elections. In addition, Twitter’s decision to censor the link to an official website of the United States Congress shows that Twitter may censor any American, anywhere, at any time.

To help us understand the basis for Twitter’s actions, please provide the following information:

1. Explain in detail why Twitter determined that the *New York Post* article violated its “Hacked Materials Policy” while other reporting in widely circulated newspapers about leaked, anonymous, or illegally obtained information concerning President Trump and his family did not violate Twitter’s policy.
2. Explain why Twitter decided to reduce the dissemination of the *New York Post* article on its platform and what factors Twitter considered in this decision.
3. Explain which employee(s) of Twitter made the decision to reduce the dissemination of the *New York Post* article on its platform.

¹² Paul Sonne & Laura Mills, *Ukrainians see conflict in Biden’s anticorruption message*, Wall St. J., Dec. 7, 2015.

¹³ Manskar, *supra* note 3.

¹⁴ *Id.*

¹⁵ Manskar, *supra* note 3; see Morris & Fonrouge, *supra* note 1.

¹⁶ Manskar, *supra* note 3.

¹⁷ Brooke Singman, *Biden camp hits back at Hunter Biden email report suggesting then-VP met with Burisma exec*, Fox News, Oct. 14, 2020.

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4. Explain why Twitter decided to censor the website of the House Judiciary Committee for reposting the *New York Post* article. Explain which employee(s) of Twitter made this decision.
5. Explain whether any Twitter employee has had any communication with any individual affiliated with the Biden campaign or the Democrat National Committee about Twitter's decision to reduce the dissemination of the *New York Post* article on its platform.
6. 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.
7. Explain whether Twitter intends to report its actions to the Federal Election Commission as an in-kind contribution to the Biden campaign.

With the election only weeks away, we ask that you provide these answers immediately.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is fluid and cursive, with the first name "Jim" and last name "Jordan" clearly legible.

Jim Jordan
Ranking Member

cc: The Honorable Jerrold L. Nadler
Chairman