

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

April 22, 2022

Mr. Bret Taylor
Board Member
Twitter, Inc.
1355 Market St #900
San Francisco, CA 94103

Dear Mr. Taylor:

Free speech online is under attack by Big Tech. In particular, Twitter has increasingly engaged in “heavy-handed censorship . . . to silence prominent voices . . . and stifle views that disagree with the prevailing progressive consensus.”¹ Big Tech’s eroding commitment to free speech prevents informed public discourse and undermines First Amendment principles.² These harms follow from how Twitter and other social media companies increasingly function as the “de facto public town square” for the American people.³

Decisions regarding Twitter’s future governance will undoubtedly be consequential for public discourse in the United States and could give rise to renewed efforts to legislate in furtherance of preserving free expression online. Among other things, the Board’s reactions to Elon Musk’s offer to purchase Twitter,⁴ and outsider opposition to Musk’s role in Twitter’s future are concerning.⁵ Twitter’s Board Members have fiduciary duties to the company’s shareholders.⁶ These duties apply despite how many corporations’ leaders increasingly pursue progressive policy goals divorced from shareholder interests.⁷

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Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



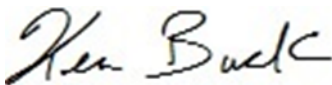
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Member of Congress



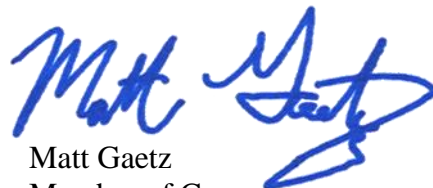
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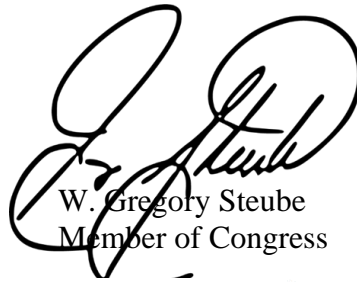
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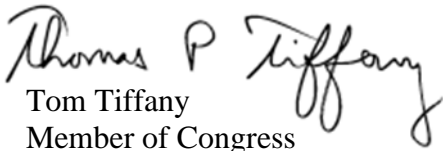
Andy Biggs
Ranking Member
Subcommittee on Crime, Terrorism
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Tom McClintock
Ranking Member
Subcommittee on Immigration
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W. Gregory Steube
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Tom Tiffany
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cc: The Honorable Jerrold L. Nadler, Chairman

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Mr. David Rosenblatt
Board Member
Twitter, Inc.
1355 Market St #900
San Francisco, CA 94103

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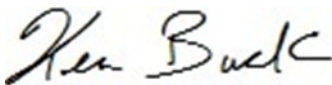
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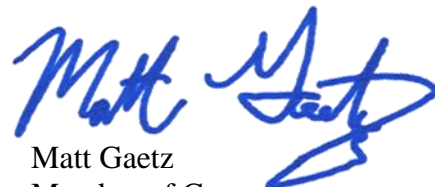
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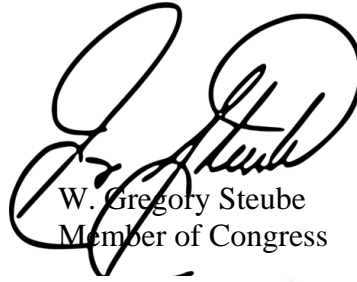
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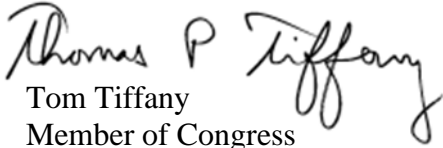
Page 3



Tom McClintock
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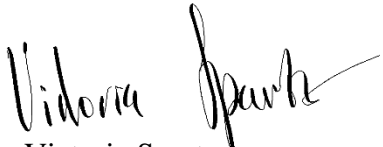
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Mr. Egon Durban
Board Member
Twitter, Inc.
1355 Market St #900
San Francisco, CA 94103

Dear Mr. Durban:

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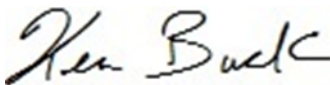
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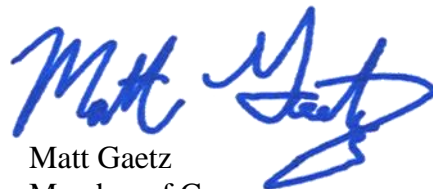
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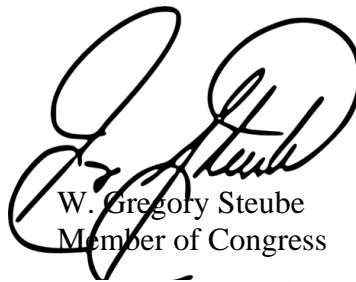
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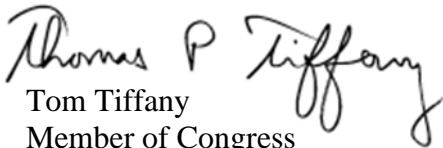
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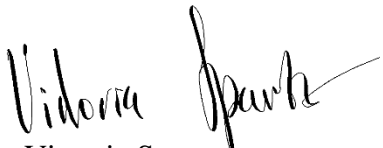
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Dr. Fei-Fei Li
Board Member
Twitter, Inc.
1355 Market St #900
San Francisco, CA 94103

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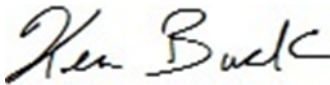
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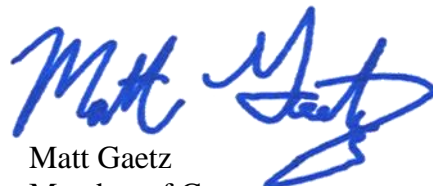
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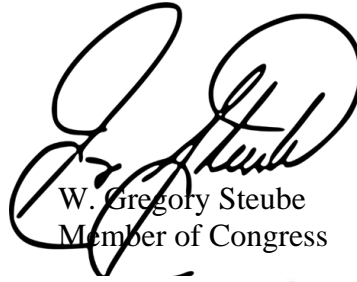
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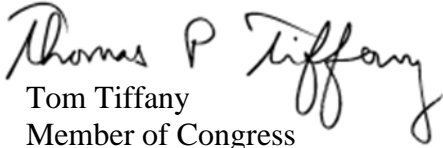
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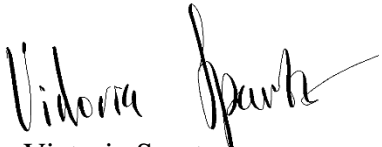
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Mr. Jack Dorsey
Board Member
Twitter, Inc.
1355 Market St #900
San Francisco, CA 94103

Dear Mr. Dorsey:

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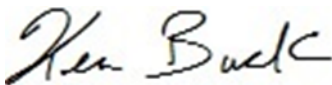
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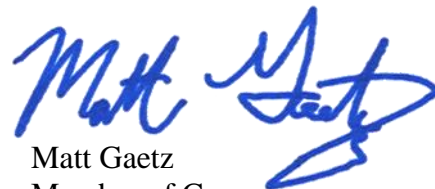
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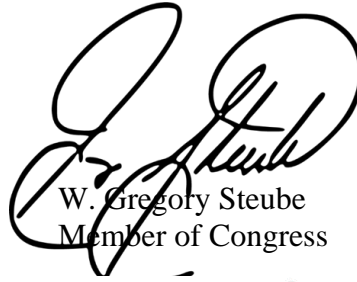
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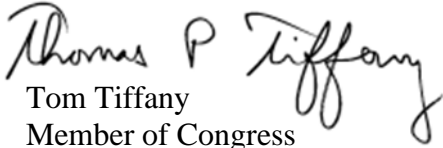
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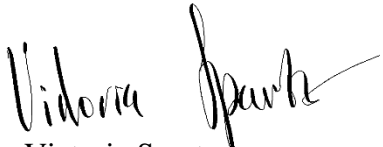
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Ms. Martha Lane Fox
Board Member
Twitter, Inc.
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Dear Ms. Lane Fox:

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Decisions regarding Twitter’s future governance will undoubtedly be consequential for public discourse in the United States and could give rise to renewed efforts to legislate in furtherance of preserving free expression online. Among other things, the Board’s reactions to Elon Musk’s offer to purchase Twitter,⁴ and outsider opposition to Musk’s role in Twitter’s future are concerning.⁵ Twitter’s Board Members have fiduciary duties to the company’s shareholders.⁶ These duties apply despite how many corporations’ leaders increasingly pursue progressive policy goals divorced from shareholder interests.⁷

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Ms. Martha Lane Fox

April 22, 2022

Page 2

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Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



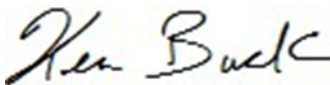
Steve Chabot
Member of Congress



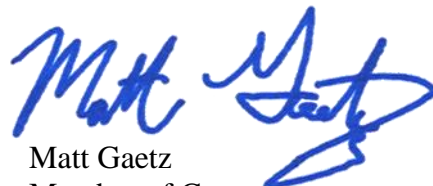
Louie Gohmert
Member of Congress



Darrell Issa
Ranking Member
Subcommittee on Courts, Intellectual
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Subcommittee on Antitrust, Commercial
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Civil Rights and Civil Liberties



Andy Biggs
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Subcommittee on Crime, Terrorism
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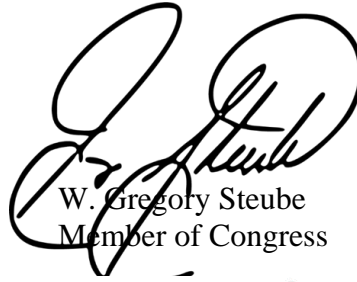
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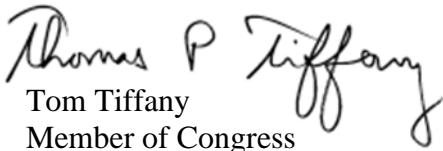
Page 3



Tom McClintock
Ranking Member
Subcommittee on Immigration
and Citizenship



W. Gregory Steube
Member of Congress



Tom Tiffany
Member of Congress



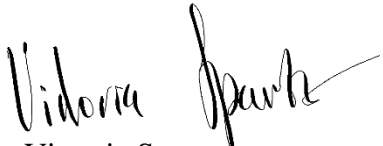
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Scott Fitzgerald
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Cliff Bentz
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Burgess Owens
Member of Congress

cc: The Honorable Jerrold L. Nadler, Chairman

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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

April 22, 2022

Ms. Mimi Alemayehou
Board Member
Twitter, Inc.
1355 Market St #900
San Francisco, CA 94103

Dear Ms. Alemayehou:

Free speech online is under attack by Big Tech. In particular, Twitter has increasingly engaged in “heavy-handed censorship . . . to silence prominent voices . . . and stifle views that disagree with the prevailing progressive consensus.”¹ Big Tech’s eroding commitment to free speech prevents informed public discourse and undermines First Amendment principles.² These harms follow from how Twitter and other social media companies increasingly function as the “de facto public town square” for the American people.³

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Ms. Mimi Alemayehou

April 22, 2022

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Jim Jordan
Ranking Member



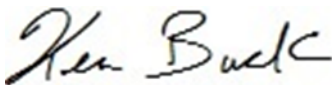
Steve Chabot
Member of Congress



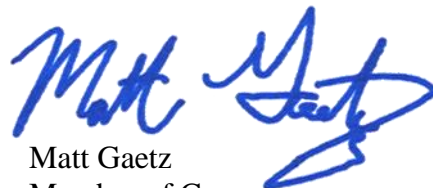
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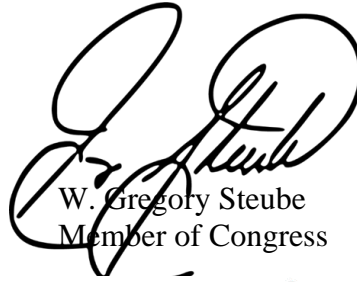
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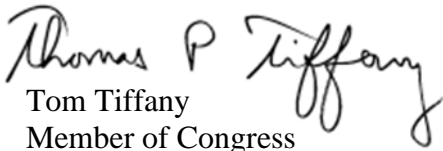
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Tom McClintock
Ranking Member
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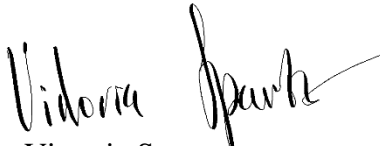
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April 22, 2022

Mr. Omid Kordestani
Board Member
Twitter, Inc.
1355 Market St #900
San Francisco, CA 94103

Dear Mr. Kordestani:

Free speech online is under attack by Big Tech. In particular, Twitter has increasingly engaged in “heavy-handed censorship . . . to silence prominent voices . . . and stifle views that disagree with the prevailing progressive consensus.”¹ Big Tech’s eroding commitment to free speech prevents informed public discourse and undermines First Amendment principles.² These harms follow from how Twitter and other social media companies increasingly function as the “de facto public town square” for the American people.³

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Jim Jordan
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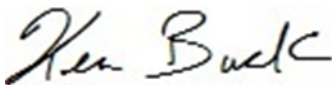
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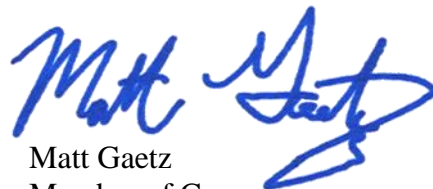
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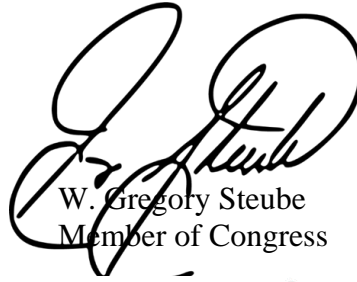
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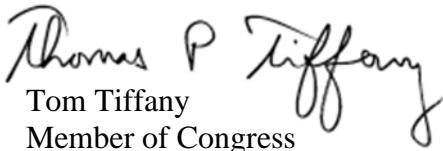
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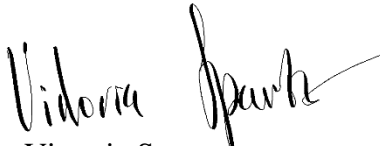
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April 22, 2022

Mr. Parag Agrawal
Board Member
Twitter, Inc.
1355 Market St #900
San Francisco, CA 94103

Dear Mr. Agrawal:

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Ranking Member



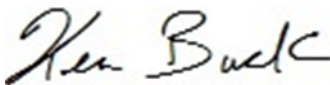
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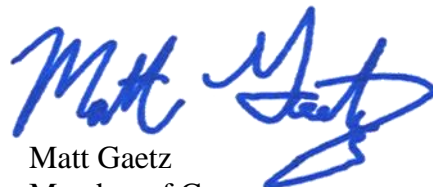
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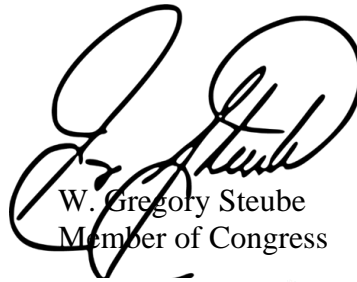
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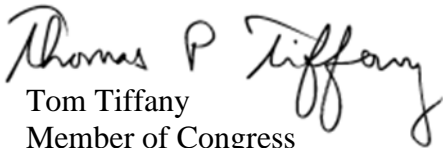
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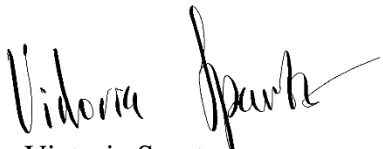
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April 22, 2022

Mr. Patrick Pichette
Board Member
Twitter, Inc.
1355 Market St #900
San Francisco, CA 94103

Dear Mr. Pichette:

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Jim Jordan
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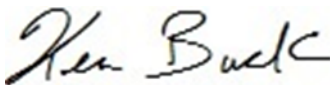
Steve Chabot
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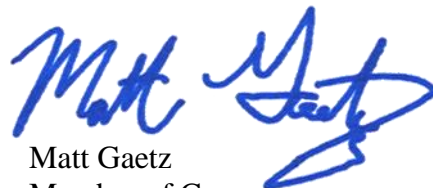
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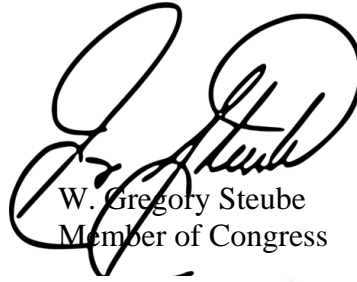
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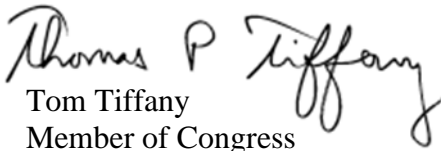
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April 22, 2022

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1355 Market St #900
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Dear Mr. Zoellick:

Free speech online is under attack by Big Tech. In particular, Twitter has increasingly engaged in “heavy-handed censorship . . . to silence prominent voices . . . and stifle views that disagree with the prevailing progressive consensus.”¹ Big Tech’s eroding commitment to free speech prevents informed public discourse and undermines First Amendment principles.² These harms follow from how Twitter and other social media companies increasingly function as the “de facto public town square” for the American people.³

Decisions regarding Twitter’s future governance will undoubtedly be consequential for public discourse in the United States and could give rise to renewed efforts to legislate in furtherance of preserving free expression online. Among other things, the Board’s reactions to Elon Musk’s offer to purchase Twitter,⁴ and outsider opposition to Musk’s role in Twitter’s future are concerning.⁵ Twitter’s Board Members have fiduciary duties to the company’s shareholders.⁶ These duties apply despite how many corporations’ leaders increasingly pursue progressive policy goals divorced from shareholder interests.⁷

¹ *Elon Musk’s Hopeful Twitter Feed*, WALL ST. J. (Apr. 5, 2022).

² *See generally* Elon Musk, (@elonmusk), TWITTER (Mar. 26, 2022), <https://twitter.com/elonmusk/status/1507777261654605828>; *cf.* Bradley A. Smith, *10 Things for Elon Musk to Do at Twitter*, WALL ST. J. (Apr. 7, 2022).

³ *See id.*

⁴ Mitchell Clark, *The Twitter board is reportedly not interested in Elon’s takeover offer*, THE VERGE (Apr. 14, 2022).

⁵ *See, e.g.*, Dominick Mastrangelo, *Washington Post columnist ‘frightened’ by prospect of Elon Musk buying Twitter*, THE HILL (Apr. 14, 2022).

⁶ *See, e.g.*, *In re Walt Disney Co. Derivative Litig.*, 907 A.2d 693 (Del. Ch. 2005).

⁷ *See generally* STEPHEN SOUKUP, *THE DICTATORSHIP OF WOKE CAPITAL* (2021); *cf.* C. Boyden Gray, *Corporate Collusion: Liability Risks for the ESG Agenda to Charge Higher Fees and Rig the Market*, TEXAS PUBLIC POLICY FOUNDATION (June 2021).

Mr. Robert Zoellick

April 22, 2022

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As Congress continues to examine Big Tech and how to best protect Americans' free speech rights, this letter serves as a formal request that you preserve all records and materials relating to Musk's offer to purchase Twitter, including Twitter's consideration and response to this offer, and Twitter's evaluation of its shareholder interests with respect to Musk's offer. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to this congressional inquiry. This instruction includes all electronic messages sent using official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.

Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



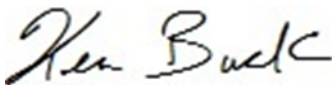
Steve Chabot
Member of Congress



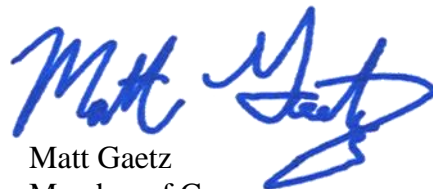
Louie Gohmert
Member of Congress



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

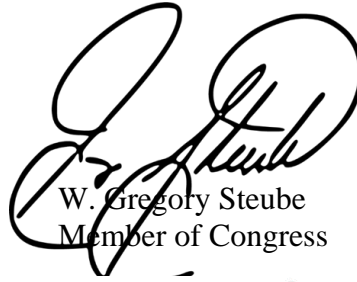
Mr. Robert Zoellick

April 22, 2022

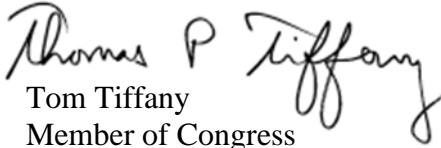
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Tom McClintock
Ranking Member
Subcommittee on Immigration
and Citizenship



W. Gregory Steube
Member of Congress



Tom Tiffany
Member of Congress



Chip Roy
Member of Congress



Dan Bishop
Member of Congress



Michelle Fischbach
Member of Congress



Victoria Spartz
Member of Congress



Scott Fitzgerald
Member of Congress



Cliff Bentz
Member of Congress



Burgess Owens
Member of Congress

cc: The Honorable Jerrold L. Nadler, Chairman