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ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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September 13, 2022

The Honorable Joseph R. Biden, Jr.
President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

President Biden:

We remain concerned with attempts by your administration to pressure private companies like Twitter and Facebook to censor certain speech or silence individuals with whom you disagree. Administration officials have previously described conservative users as their political enemies, and we have previously expressed our concern that the administration's recent actions could lead private companies to censor conservatives due to increased White House pressure.¹

We know that administration officials and federal bureaucrats requested these companies to censor legitimate news stories and public discourse regarding the COVID-19 pandemic under the guise of combatting misinformation, disinformation, and election interference.²³ Recent reports suggest that your administration continues to behave in this manner and has pressured Twitter employees to remove a prominent user off its platform.⁴ More light recently shined on the involvement of the Federal Bureau of Investigation (FBI) in censoring the 2020 news reports related to Hunter Biden's laptop. We write to express our continued concerns with the behavior

¹ Letter to Parag Agrawal from Representatives Cathy McMorris Rodgers, Robert E. Latta, and Gus Bilirakis, May 12, 2022. Available at: <https://republicans-energycommerce.house.gov/wp-content/uploads/2022/05/2022.05.12-Energy-and-Commerce-Letter-to-Twitter-1.pdf>

² See, <https://www.youtube.com/watch?v=Mg8PaSYCP5E>.

³ <https://republicans-energycommerce.house.gov/wp-content/uploads/2021/07/2021.07.22-WH-Letter-on-Censorship-FINAL-CP5-1.pdf>

⁴ See, <https://www.foxnews.com/media/white-house-asked-twitter-why-alex-berenson-wasnt-banned-from-platform-lawsuit-reveals>

of your administration and federal agencies, and to request documents and information regarding these reports.

Earlier this week, Facebook admittedly took directives from the FBI to restrict access to any information that seemed like “disinformation.” As a result, Facebook’s algorithms restricted views to the Hunter Biden laptop story, which we now know is true.⁵ In addition, according to recently released public information, Twitter employees took several meetings from top Biden administration officials regarding speech by a conservative user of their platform.³ This information suggests that a specific conservative individual was targeted by White House officials, Twitter employees were aware of pressure from the White House official, and the censorship of the individual followed discussions between the White House official and Twitter. While at least one conservative user was reinstated, it took legal action and discovery of internal communications for Twitter to reverse the decision. The administration has also previously publicly engaged in pressuring social media companies to remove what they deemed as “medical misinformation” related to the COVID-19 pandemic, despite many of those instances later becoming widely accepted of the scientific community.

These facts raise serious questions about the pressure your administration and executive agencies are putting on companies to increase censorship and utilize these companies to censor speech that you are prohibited from restricting under the First Amendment. We are not alone in these concerns as your administration’s lack of judgment and cooperation has the attention of State Attorneys General. To their credit, Missouri and Louisiana Attorneys General Eric Schmitt and Jeff Landry filed a joint statement asking the Louisiana District Court to compel the (DOJ) to turn over communications between your high-ranking White House officials and social media companies, which show the direct relationship your staff has with the companies. For instance, a senior Facebook official sent an email to the Surgeon General stating, “I know our teams met today to better understand the scope of what the White House expects from us on misinformation going forward.”⁶ Yet, not all communications were released.

Given that the DOJ refuses to turn over certain communications between your highest-ranking officials and Big Tech platforms⁷ we request that you preserve, retain, and provide such communications to the Committee no later than September 26, 2022 the following:

1. Beginning on January 21, 2021, a list of all meetings between employees of any Federal agency (including but not limited to the Executive Office of the President or the Centers for Disease Control and Prevention) and Twitter employees that contains:
 - a. The date and time of the meeting.
 - b. The participants of the meeting.
 - c. The subject matters discussed during the meeting.

⁵ See, <https://nypost.com/2022/03/30/washington-post-admits-hunter-biden-laptop-is-real/>

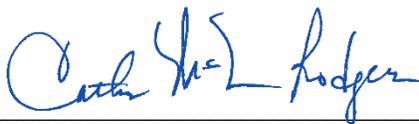
⁶ See, https://ago.mo.gov/docs/default-source/press-releases/free-speech-pitch-thread-docs/hhs-fb-email-1.pdf?sfvrsn=53bc4454_2

⁷ See, <https://ago.mo.gov/home/news/2022/09/01/missouri-and-louisiana-attorneys-general-ask-court-to-compel-department-of-justice-to-produce-communications-between-top-officials-and-social-media-companies>

2. Beginning on January 21, 2021, a list of all meetings between employees of any Federal agency (including but not limited to the Executive Office of the President or the Centers for Disease Control and Prevention) and Facebook employees that contains:
 - a. The date and time of the meeting.
 - b. The participants of the meeting.
 - c. The subject matters discussed during the meeting.
3. Beginning on January 21, 2021, all documents and information relating to communications between employees of any Federal agency (including, but not limited to, the Executive Office of the President or the Centers for Disease Control and Prevention) and Twitter employees regarding specific Twitter users.
4. Beginning on January 21, 2021, all documents and information relating to communications between employees of any Federal agency (including, but not limited to, the Executive Office of the President or the Centers for Disease Control and Prevention) and Facebook employees regarding specific Facebook users.
5. Beginning on January 21, 2021, all documents and information relating to communications between employees of any Federal agency (including, but not limited to, Executive Office of the President or the Centers for Disease Control and Prevention) and Twitter employees regarding specific Twitter “misinformation” or “disinformation” content.
6. Beginning on January 21, 2021, all documents and information relating to communications between employees of any Federal agency (including, but not limited to, Executive Office of the President or the Centers for Disease Control and Prevention) and Facebook employees regarding specific Facebook “misinformation” or “disinformation” content.

Thank you for your attention to this matter. If you have any questions, please contact Tim Kurth or Kate O’Connor with the Energy and Commerce Committee at (202) 225-3641.

Sincerely,



Cathy McMorris Rodgers
Republican Leader
Committee on Energy and Commerce



Robert E. Latta
Republican Leader
Subcommittee on Communications and
Technology



Gus M. Bilirakis
Republican Leader
Subcommittee on Consumer Protection
and Commerce