

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906

judiciary.house.gov

February 8, 2023

Mr. Brian M. Boynton
Principal Deputy Assistant Attorney General
Civil Division
U.S. Department of Justice
1100 L Street NW
Washington, DC 20005

Dear Mr. Boynton:

The Committee on the Judiciary is conducting oversight of the Executive Branch's efforts to sidestep the First Amendment by coercing and coordinating with private companies, including social media platforms, to suppress free speech and censor content online. As part of our oversight, we write to request a discrete set of documents and information that the Department of Justice has produced as part of discovery in federal litigation over the same subject matter.

In May 2022, the State of Missouri and the State of Louisiana sued the Biden Administration to seek relief for free-speech violations.¹ Documents produced to the States as part of this litigation include communications between Executive Branch officials and employees of social media companies.² These documents appear to reveal that the Executive Branch repeatedly pressured social media platforms to censor certain viewpoints.³

Congress has an important interest in protecting and advancing fundamental free speech principles, including by examining how the Executive Branch coordinates with or coerces private actors to suppress First Amendment-protected speech. The Judiciary Committee, in particular, has jurisdiction under the Rules of the House of Representatives over American civil liberties. As Congress continues to examine how to best protect Americans' fundamental freedoms, the documents discovered and produced during the *Missouri v. Biden* litigation are necessary to assist Congress in understanding the problem and evaluating potential legislative reforms. Accordingly, we ask that you please produce all of the documents that the Department has produced thus far in the *Missouri v. Biden* litigation.

¹ See *Missouri v. Biden*, No. 3:22-cv-1213 (W.D. La. 2022).

² See, e.g., *Missouri Attorney General Releases More Documents Exposing White House's Social Media Censorship Scheme*, OFF. OF MO. ATT'Y. GEN. ANDREW BAILY (Jan. 9, 2023).

³ *Id.*

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Please produce all documents as soon as possible but no later than 5:00 p.m. on February 22, 2023. This request does not in any way alter the Committee's outstanding requests, including those to the White House, federal agencies, or private parties.

If you have any questions about this matter, please contact Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member