

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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June 24, 2024

Mr. John B. Bellinger, III
Arnold & Porter Kaye Scholer LLP
601 Massachusetts Ave, NW
Washington, DC 20001

Re: Stanford Internet Observatory

Dear Mr. Bellinger:

The Committee on the Judiciary and the Select Subcommittee on the Weaponization of the Federal Government are conducting oversight of how and to what extent the Executive Branch has coerced or colluded with companies and other intermediaries to censor lawful speech.¹ As a part of this oversight, on April 12, 2023, after efforts to obtain the voluntary compliance of your client, Stanford University, the Committee issued a subpoena for relevant documents to the Stanford Internet Observatory (SIO), with a return date of April 28, 2023.² According to recent public reporting, the SIO will be discontinued by Stanford.³ This letter is to request information relating to this development.

In relation to Stanford's work with the Election Integrity Partnership (EIP), including the use of the Jira ticketing system to forward censorship recommendations directly to social media companies, the Committee's subpoena compelled the production of documents, communications, and Jira ticket data from Stanford regarding the SIO's work relating to content moderation.⁴ On April 28, the date of the subpoena's deadline, Stanford failed to produce the Jira ticket data, among other documents and information.⁵ When Committee staff raised this issue of non-

¹ See Ryan Tracy, *Facebook Bowed to White House Pressure, Removed Covid Posts*, WALL ST. J. (July 28, 2023).

² Letter to Alex Stamos, Dir., Stanford Internet Observatory, from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (Apr. 12, 2023).

³ See Casey Newton & Zoë Schiffer, *The Stanford Internet Observatory is being dismantled*, PLATFORMER (June 13, 2024).

⁴ Letter to Alex Stamos, Dir., Stanford Internet Observatory, from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (Apr. 12, 2023).

⁵ See Email from Stanford's Counsel to Committee Staff (Apr. 29, 2023); see also STAFF OF THE H. COMM. ON THE JUDICIARY AND THE SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FED. GOV'T OF THE H. COMM. ON THE JUDICIARY, 118TH CONG., *THE WEAPONIZATION OF 'DISINFORMATION' PSEUDO-EXPERTS AND BUREAUCRATS: HOW THE FEDERAL GOVERNMENT PARTNERED WITH UNIVERSITIES TO CENSOR AMERICANS' POLITICAL SPEECH* (Comm. Print Nov. 6, 2023) at 86.

compliance in a May 15, 2023 call, you confirmed that the Jira ticket data was responsive to the subpoena, but you asserted that Stanford would nevertheless refuse to produce the records as they “concern[ed] only a research project conducted by Stanford students.”⁶ In response to this refusal to comply with the subpoena, on June 1, 2023, the Committee notified you that Stanford’s refusal to comply with the subpoena could result in the invocation of contempt of Congress proceedings.⁷

Subsequently, on June 14, only after the Committee’s warning about potential contempt proceedings, Stanford began producing the Jira ticket data.⁸ When the data was finally produced, the Committee found that there were dozens of examples of EIP personnel, including then-Director of SIO Alex Stamos, making explicit recommendations to platforms for specific enforcement measures.⁹ This discovery contradicted previous representations made by Stanford and the SIO that the EIP did not make these kinds of recommendations¹⁰ and your representation that the Jira ticket data “concern[ed] only a research project conducted by Stanford students.”¹¹

On June 13, 2024, a news outlet reported that the SIO was “being dismantled” and that the SIO “will not conduct research into the 2024 election or other elections in the future.”¹² However, it also reported that “remnants of the SIO will be reconstituted” and that some of its work would be continued by another program within Stanford.¹³ Given the SIO’s role in the censorship of Americans in the lead-up to the 2020 election, and your client’s repeated false and/or misleading statements to the Committee and the Select Subcommittee, we remain concerned about what actions the SIO or its “remnants” will take in the lead-up to the 2024 election that are antithetical to the First Amendment and Americans’ right to free expression.

The Committee’s subpoena to Stanford University is continuing in nature, and the instructions and definitions accompanying the subpoena make clear that relevant documents and information related to the SIO—and its “successors”—are within the scope of the subpoena.¹⁴

⁶ Phone call between John Bellinger and Committee Staff (May 15, 2023); Letter to John B. Bellinger, III, from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (June 1, 2023), at 2.

⁷ Letter to John B. Bellinger, III, from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (June 1, 2023).

⁸ See Stanford Internet Observatory – Document Production Index (June 14, 2023) (on file with the Comm.).

⁹ STAFF OF SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FED. GOV’T OF THE H. COMM. ON THE JUDICIARY, 118TH CONG., THE WEAPONIZATION OF ‘DISINFORMATION’ PSEUDO-EXPERTS AND BUREAUCRATS: HOW THE FEDERAL GOVERNMENT PARTNERED WITH UNIVERSITIES TO CENSOR AMERICANS’ POLITICAL SPEECH (Comm. Print Nov. 6, 2023) at 84.

¹⁰ See, e.g., *Background on the SIO’s Projects on Social Media*, STANFORD INTERNET OBSERVATORY (Mar. 17, 2023),

<https://cyber.fsi.stanford.edu/io/news/background-sios-projects-social-media> (“EIP did not make recommendations to the platforms about what actions they should take.”).

¹¹ Letter to John B. Bellinger, III, from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (June 1, 2023), at 2.

¹² See Casey Newton & Zoë Schiffer, *The Stanford Internet Observatory is being dismantled*, PLATFORMER (June 13, 2024).

¹³ *Id.*

¹⁴ See Document Subpoena to Mr. Alex Stamos, Dir., Stanford Internet Observatory (Apr. 12, 2023), *Instructions*, ¶ 14; *Id.*, *Definitions*, ¶ 10(i). The subpoena also covers “any current [or] past . . . partners, officers, directors, employees, representatives, or agents” of SIO. *Id.* *Definitions*, ¶ 10(ii).

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Thus, to ensure continued compliance with the Committee's subpoena and our oversight obligations, we ask that you provide a written response to the following questions:

1. Will the SIO, any successor to the SIO, or any other entity within Stanford University participate or otherwise support the Election Integrity Partnership?
2. Will the SIO, any successor to the SIO, or any other entity within Stanford University participate or otherwise support any monitoring, analysis, or research of Americans' election-related speech in the lead-up to the 2024 election?
3. Does the SIO, any successor to the SIO, or any other entity within Stanford University work with, or intend to work with, any part of the Executive Branch, including the Cybersecurity and Infrastructure Security Agency, the Global Engagement Center, or the Federal Bureau of Investigation's Foreign Influence Task Force, regarding election-related speech online?
4. Does the SIO, any successor to the SIO, or any other entity within Stanford University work with, or intend to work with, any social media or technology companies regarding the monitoring or moderation of Americans' election-related speech online?
5. Will the SIO, any successor to the SIO, or any other entity within Stanford University provide recommendations to social media or technology companies to remove or otherwise censor Americans' election-related speech in the lead-up to the 2024 election?

Please produce your responses as soon as possible but no later than 10:00 a.m. on July 1, 2024.

Pursuant to the Rules of the House of Representatives, the Committee on the Judiciary has jurisdiction to conduct oversight of matters concerning "civil liberties" to inform potential legislative reforms.¹⁵ In addition, House Resolution 12 authorized the Committee's Select Subcommittee on the Weaponization of the Federal Government to investigate "issues related to the violation of the civil liberties of citizens of the United States."¹⁶

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

Sincerely

A handwritten signature in blue ink that reads "Jim Jordan". The signature is stylized and cursive.

Jim Jordan
Chairman

¹⁵ Rules of the House of Representatives R. X (2023).

¹⁶ H. Res. 12 § 1(b)(1).

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cc: The Honorable Jerrold L. Nadler, Ranking Member