

ONE HUNDRED SEVENTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

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December 23, 2022

The Honorable Christopher A. Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, N.W.  
Washington, DC 20535

Dear Director Wray:

We are investigating politicization and abuses at the Federal Bureau of Investigation, as well as Big Tech's censorship of conservatives online. Newly released information shows the FBI has coordinated extensively with Twitter to censor or otherwise affect content on Twitter's platform.<sup>1</sup> These documents show that the FBI maintained this relationship with Twitter apart from any particularized need for a specific investigation, but as a permanent and ongoing surveillance operation. These revelations sadly reinforce our deep concerns about the FBI's misconduct and its hostility to the First Amendment.

From disclosed Twitter documents and publicly available information, it is clear the FBI worked extensively with Twitter to advance censorship of certain speech on Twitter's platform.<sup>2</sup> Twitter's internal documents reflect a "cozy relationship" between the FBI and Twitter<sup>3</sup>—numerous former FBI employees have taken jobs at Twitter<sup>4</sup>—which one journalist described as a "unique one-big-happy-family vibe."<sup>5</sup> This closeness created, in the words of journalist Matt

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<sup>1</sup> See, e.g., Victor Nava, *FBI treated Twitter as a 'subsidiary,' flagged tweets and accounts for 'misinformation'*, N.Y. POST (Dec. 16, 2022); Matt Taibbi, @mtaibbi, *I. THREAD: The Twitter Files, Part Six TWITTER, THE FBI SUBSIDIARY*, TWITTER (Dec. 16, 2022, 4:00 P.M.) ("Twitter's contact with the FBI was constant and pervasive"), <https://twitter.com/mtaibbi/status/1603857534737072128>; cf. Jordan Boyd, *With Russia Hoaxer Jim Baker On The Inside, The FBI Primed Twitter To Kill Hunter Biden Story Long Before It Broke*, THE FEDERALIST (Dec. 19, 2022).

<sup>2</sup> See, e.g., Nava, *supra* n. 1; Press Release, *Missouri, Louisiana Release Full Transcript of Deposition with FBI Agent Elvis Chan* (Dec. 6, 2022), <https://ago.mo.gov/home/news/2022/12/06/missouri-louisiana-release-full-transcript-of-deposition-with-fbi-agent-elvis-chan>; Bruce Golding, *'Twitter Files' part 3 details 'internal debate' over Trump's ban after Jan. 6 riot*, N.Y. POST (Dec. 9, 2022); John Solomon, *FBI agent's testimony implicates headquarters brass in social media censorship*, JUST THE NEWS (Dec. 7, 2022).

<sup>3</sup> Paul Farrell, *Your taxpayer dollars at work: Latest Twitter Files reveal how FBI nudged firm to censor conservative who alleged electoral fraud - while staffers discussed punishing ex-Arkansas Gov. Mike Huckabee over obvious joke*, THE DAILY MAIL (Dec. 10, 2022).

<sup>4</sup> E.g. Jon Levine, *Twitter's top ranks riddled with ex-FBI employees*, N.Y. POST (Dec. 17, 2022).

<sup>5</sup> Matt Taibbi, @mtaibbi, TWITTER (Dec. 16, 2022, 4:00 P.M.), <https://twitter.com/mtaibbi/status/1603857637988339712>.

Taibbi, a “master-canine quality of the FBI’s relationship to Twitter.”<sup>6</sup> For example, Twitter employees “maintain[ed] regular check-ins” with the FBI as they decided how to censor certain content.<sup>7</sup> These communications occurred before the 2020 and 2022 elections,<sup>8</sup> and at least one prominent FBI official expects that these censorship operations will continue in advance of the 2024 elections.<sup>9</sup>

The FBI’s extensive coordination with Twitter has apparently occurred independent of any particular criminal investigation.<sup>10</sup> Instead, the FBI seems to have maintained “a permanent, end-in-itself surveillance operation.”<sup>11</sup> For example, before the 2020 election, the FBI apparently maintained a “sprawling” endeavor that involved FBI field offices, prosecutors, and lawyers from the FBI and Justice Department.<sup>12</sup> One FBI employee—Elvis Chan, the Assistant Special Agent in Charge of the Cyber Branch in San Francisco—encouraged reporting certain information to the FBI or Justice Department.<sup>13</sup> The FBI “processed” these types of reports, escalated them through field offices, and approved them at headquarters.<sup>14</sup> Ultimately, the FBI’s San Francisco unit would flag for Big Tech firms to censor content the government considered disinformation or in violation of companies’ terms of service.<sup>15</sup> Twitter and other companies often complied with the FBI’s directives.<sup>16</sup>

The FBI’s close coordination with Big Tech threatens Americans’ civil liberties.<sup>17</sup> Internal Twitter documents have revealed “[FBI] requests for moderation involving low-follower accounts belonging to ordinary Americans . . . ,” not censorship linked to any identified foreign actors.<sup>18</sup> Twitter, for its part, appears to have violated its own standards to meet the FBI’s demands.<sup>19</sup> Evidence suggests Twitter employees “worked closely with like-minded government bureaucrats to squelch legitimate news, information, and discussion,” with an eye toward “protect[ing] favoured candidates (Democrats) and political positions (progressive).”<sup>20</sup> At the end of the day, the FBI and other federal employees have “worked hand-in-glove with Twitter to

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<sup>6</sup> Matt Taibbi, @mtaibbi, TWITTER (Dec. 16, 2022, 4:00 P.M.), <https://twitter.com/mtaibbi/status/1603857573219819529>.

<sup>7</sup> See, e.g., Golding, *supra* n.2.

<sup>8</sup> See *id.*; Brittany Bernstein, *Twitter Executive Met with FBI Weekly around 2020 Election, Documents Show*, NATIONAL REVIEW (Dec. 9, 2022); Ashley Hume, *Billy Baldwin’s account among those flagged by FBI for ‘additional action’: Twitter Files Part 6 reveal*, FOXNEWS (Dec. 17, 2022).

<sup>9</sup> See, e.g., Press Release, *supra* n.2 (deposition transcript of Special Agent Elvis Chan).

<sup>10</sup> See Joseph Wulfsohn, *Twitter Files Part 6 reveals FBI’s ties to tech giant: ‘As if it were a subsidiary,’* FOXNEWS (Dec. 16, 2022).

<sup>11</sup> *Id.* (internal quotation marks omitted).

<sup>12</sup> Solomon, *supra* n.2.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> See *id.*

<sup>17</sup> See *id.*

<sup>18</sup> See Matt Taibbi, @mtaibbi, TWITTER (Dec. 18, 2022, 6:03 P.M.), <https://twitter.com/mtaibbi/status/1604613323282124802>.

<sup>19</sup> See Bernstein, *supra* n.8.

<sup>20</sup> Charles Lipson, *The ‘Twitter Files’ are damning for US agencies*, THE SPECTATOR (Dec. 10, 2022).

impact the publication of legally permissible material and the readership of stories they didn't like."<sup>21</sup>

The House Judiciary Committee has jurisdiction over the activities and operations of the FBI pursuant to Rule X of the Rules of the House of Representatives. As the Committee continues to examine the FBI's abuses and misconduct, please provide the following documents and materials from January 1, 2020, to the present:

1. The names and titles of all FBI employees or contractors who may have communicated with any employee, contractor, agent, or representative of Twitter about content or users on Twitter's platform.
2. All documents and communications between or among any FBI employees or contractors, and any employee, contractor, agent, or representative of Twitter, including but not limited to the following individuals:

Yoel Roth;  
Will Newland;  
Vijaya Gadde;  
Jack Dorsey;  
Aaron Roderick;  
Angela Sherrer;  
James Baker;  
Nick Pickles;  
Patrick Conlon;  
Brandon Borrman;  
Mudge Zatko;  
Parag Agrawal;  
Anika Navaroli;  
Stacia Cardille;  
Dawn Burton;  
Matthew Williams;  
Jeff Carlton;  
Kevin Michelena;  
Michael Bertrand;  
Karen Walsh;  
Doug Hunt;  
Vincent Lucero; and  
Mark Jaroszewski.

3. All documents and communications between or among employees or contractors of the FBI referring or relating to content moderation on Twitter's platform.

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<sup>21</sup> *Id.*

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4. All documents and communications between or among employees or contractors of the FBI and employees or contractors of the other Executive Branch entities, including but not limited to the Department of Justice, the Department of Homeland Security, and the Executive Office of the President, referring or relating to content moderation on Twitter's platform.
5. A full and complete accounting of all money transferred by the FBI to Twitter and any other social media company since January 1, 2016, for purported law-enforcement purposes, including the dates, amounts, and specific reasons for each transfer.


Please produce all documents and information as soon as possible but no later than 5:00 p.m. on January 11, 2023. This letter serves as a formal request to preserve all existing and future records and materials relating to the topics addressed in this letter. 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 are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using your 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



Mike Johnson  
Ranking Member  
Subcommittee on the Constitution,  
Civil Rights and Civil Liberties

cc: The Honorable Jerrold L. Nadler, Chairman