

ONE HUNDRED SEVENTEENTH CONGRESS

**Congress of the United States**

**House of Representatives**

COMMITTEE ON THE JUDICIARY

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December 14, 2022

Mr. Timothy Cook  
Chief Executive Officer  
Apple  
One Apple Park Way  
Cupertino, CA 95014

Dear Mr. Cook:

Big Tech is out to get conservatives, and is increasingly willing to undermine First Amendment values by complying with the Biden Administration's directives that suppress freedom of speech online. This approach undermines fundamental American principles and allows powerful government actors to silence political opponents and stifle opposing viewpoints. Publicly available information suggests that your company's treatment of certain speakers and content may stem from government directives or guidance designed to suppress dissenting views.<sup>1</sup> Therefore, we write to request more information about the nature and extent of your company's collusion with the Biden Administration.

Big Tech's role in shaping national and international public discourse today is well-known. In some cases, Big Tech's "heavy-handed censorship" has been "use[d] to silence prominent voices" and to "stifle views that disagree with the prevailing progressive consensus."<sup>2</sup> Because of Big Tech's wide reach, it can serve as a powerful and effective partisan arm of the "woke speech police."<sup>3</sup> Although the full extent of Big Tech's collusion with the Biden Administration is unknown, there are prominent examples and strong indications of Big Tech censorship following directives or pressure from executive branch entities.<sup>4</sup> These examples raise serious concerns about how and why tech companies suppress, silence, or reduce the reach of

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<sup>1</sup> See, e.g., Ben Geman, *Top Biden aide prods big tech to crack down on climate change misinformation*, AXIOS (June 9, 2022); Brad Dress, *Surgeon general demands data on COVID-19 misinformation from major tech firms*, THE HILL (Mar. 3, 2022); cf. Caroline Reeves, *Corporations Have a Viewpoint Diversity Problem. Here's How They Can Fix It.*, ALLIANCE DEFENDING FREEDOM (July 11, 2022); *Federal government using social-media giants to censor Americans*, N.Y. POST (Sept. 6, 2021); WAFB Staff, *La., Mo. Request depositions and add 47 defendants to lawsuit against federal government for alleged collusion with social media companies*, WAFB (Oct. 10, 2022); Ken Klippenstein & Lee Fang, *Truth Cops*, THE INTERCEPT (Oct. 31, 2022); Alex Berenson, *My Lawsuit Will Shine a Light on Twitter Censorship*, WALL ST. J. (May 15, 2022); Vivek Ramaswamy & Jed Rubenfeld, *Twitter Becomes a Tool of Government Censorship*, WALL ST. J. (Aug. 17, 2022); *The White House and Twitter Censorship*, WALL ST. J. (Aug. 12, 2022).

<sup>2</sup> See, e.g., *Elon Musk's Hopeful Twitter Feed*, WALL ST. J. (Apr. 5, 2022).

<sup>3</sup> See *id.*

<sup>4</sup> See, e.g., note 1, *supra*.

certain political speech and speakers.<sup>5</sup> The collusion of Big Tech and Big Government to advance censorship undeniably undermines liberty and jeopardizes our country's First Amendment values and protections.<sup>6</sup>

Republicans on the House Judiciary Committee are investigating Big Tech's commitment to freedom of speech online and the Biden Administration's collusion with Big Tech to censor, silence, or reduce the reach of certain information and viewpoints. Congress has an important interest in protecting and advancing fundamental free speech principles, including by examining how private actors coordinate with the government to suppress First Amendment-protected speech. As Congress continues to examine how to best protect Americans' fundamental freedoms, please provide the following information:

1. All documents and communications from January 1, 2020, to the present between or among any employee or contractor of your company and any individual affiliated with the Executive Branch of the United States Government referring or relating to the moderation, deletion, suppression, restricting, or reduced circulation of content.
2. All documents and communications from January 1, 2020, to the present referring or relating to any public or private communications or statements from the Executive Branch of the United States Government concerning the moderation, deletion, suppression, restricting, or reduced circulation of content.
3. A list of the individuals, along with their current and prior titles, who are or have been responsible in any way for developing your company's policies referring or relating to the moderation, deletion, suppression, restricting, or reduced circulation of content.
4. A list of the individuals, along with their current and prior titles, who are or have been responsible in any way for applying or executing your company's policies referring or relating to the moderation, deletion, suppression, restricting, or reduced circulation of content.

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<sup>5</sup> See, e.g., *Press Briefing by Press Secretary Jen Psaki*, THE WHITE HOUSE (Apr. 25, 2022); Ian Hanchett, *Mayorkas: We're Working with Platforms on 'How They Can Better Use' Their Terms to 'Prevent Harm' from Misinformation*, BREITBART (Aug. 2, 2021); Maggie Miller, *Cyber agency beefing up disinformation, misinformation team*, THE HILL (Nov. 10, 2021); Alexander Hall, *Biden climate advisor demands tech companies censor 'disinformation' to promote 'benefits of clean energy'*, FOX NEWS (June 14, 2022); Press Release, *NCLA Takes on U.S. Surgeon General's Censoring of Alleged Covid-19 "Misinformation" on Twitter*, NEW CIVIL LIBERTIES ALLIANCE (Mar. 25, 2022); Greg Piper, *CDC told Big Tech to censor COVID claims now debated by mainstream scientists, documents show*, JUST THE NEWS (July 28, 2022); *The White House and Twitter Censorship*, WALL ST. J. (Aug. 12, 2022); Press Release, *Missouri, Louisiana AGs File Suit Against President Biden, Top Admin Officials for Allegedly Colluding with Social Media Giants to Censor and Suppress Free Speech* (May 5, 2022); Joseph A. Wulfsohn, *White House asked Twitter why Alex Berenson wasn't banned from the platform, lawsuit reveals*, FOX NEWS (Aug. 12, 2022); Letter from Rep. Jim Jordan, Ranking Member, H. Comm. on the Judiciary, et al., to Mark Zuckerberg, CEO, Meta Platforms Inc. (Sept. 1, 2022); Letter from Ranking Member Jim Jordan, et al., to Mr. Parag Agrawal, CEO of Twitter (Mar. 31, 2022).

<sup>6</sup> See, e.g., Vivek Ramaswamy & Jed Rubenfeld, *Twitter Becomes a Tool of Government Censorship*, WALL ST. J. (Aug. 17, 2022); cf. *Biden v. Knight First Amend. Inst. At Columbia Univ.*, 141 S. Ct. 1220, 1226 (2021).

5. A list of the individuals, along with their current and prior titles, who may have communicated with the Executive Branch of the United States Government regarding your company's decisions or policies referring or relating to the moderation, deletion, suppression, restricting, or reduced circulation of content.
6. A list of any third-party groups, companies, or individuals that your company has cooperated with, consulted with, or relied on, formally or informally, in making decisions or policies referring or relating to the moderation, deletion, suppression, restricting, or reduced circulation of content. This list should include but is not limited to any fact-checking entities; other technology firms or social media platforms; advertisers or potential advertisers; financial services firms or payment processors; proxy advisory firms; and investors or investment firms.
7. All documents and communications referring or relating to any third-party groups, companies, or individuals that your company has cooperated with, consulted with, or relied on, formally or informally, in making decisions or policies relating to the moderation, deletion, suppression, restricting, or reduced circulation of content. This request includes but is not limited to:
  - a. All documents and communications referring or relating to the terms of any agreement between your company and any third-party groups, companies, or individuals that your company has cooperated with, consulted with, or relied on, formally or informally, in making decisions or policies relating to the moderation, deletion, suppression, restricting, or reduced circulation of content.
  - b. All documents and communications referring or relating to any compensation—monetary or otherwise—that your company provided to or received from any third-party groups, companies, or individuals that your company has cooperated with, consulted with, or relied on, formally or informally, in making decisions or policies relating to the moderation, deletion, suppression, restricting, or reduced circulation of content.

Please produce all documents and information as soon as possible but no later than 5:00 p.m. on December 29, 2022. In addition, please treat these discovery obligations as ongoing and applicable to any information generated after receipt of this letter.

Furthermore, 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.

Mr. Timothy Cook  
December 14, 2022  
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Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is stylized with a large "J" and a long, sweeping underline.

Jim Jordan  
Ranking Member

cc: The Honorable Jerrold L. Nadler, Chairman