

ONE HUNDRED NINETEENTH 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

March 16, 2026

Mr. James Burnham  
General Counsel  
xAI  
865 FM 1209 Building 2  
Bastrop, TX 78602

Dear Mr. Burnham:

The Committee on the Judiciary is conducting oversight of how and to what extent foreign laws, regulations, and judicial orders compel, coerce, or influence companies to censor speech in the United States.<sup>1</sup> In furtherance of this oversight, the Committee issued document subpoenas to ten technology companies—including X—requiring them to produce communications with foreign censors, including the European Commission and European Union (EU) Member States.<sup>2</sup> Since then, technology companies have produced to the Committee thousands of internal documents and communications with the European Commission and EU Member States pursuant to the Committee's subpoenas.<sup>3</sup> These documents show the extent of the European Commission's global censorship campaign.<sup>4</sup> The documents demonstrate how the EU coerced social media platforms to take down lawful speech, change their globally applicable content moderation policies, and impose onerous speech restrictions not only within the EU, but also on American speech.<sup>5</sup>

To date, the European Commission has failed to offer a rebuttal to this evidence that it has engaged in a decade-long censorship campaign.<sup>6</sup> Rather than reconsidering its censorship laws and changing its attitude towards free speech, the European Commission seems to be

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<sup>1</sup> See, e.g., Pieter Haeck, *US presses Brussels for answers over EU social media law*, POLITICO (Jan. 31, 2025).

<sup>2</sup> See, e.g., Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Ms. Linda Yaccarino, CEO, X (Feb. 26, 2025) (attaching subpoena).

<sup>3</sup> See STAFF OF THE H. COMM. ON THE JUDICIARY, 119TH CONG., THE FOREIGN CENSORSHIP THREAT: HOW THE EUROPEAN UNION'S DIGITAL SERVICES ACT COMPELS GLOBAL CENSORSHIP AND INFRINGES ON AMERICAN FREE SPEECH (Comm. Print July 25, 2025); STAFF OF THE H. COMM. ON THE JUDICIARY, 119TH CONG., THE FOREIGN CENSORSHIP THREAT, PART II: EUROPE'S DECADE-LONG CAMPAIGN TO CENSOR THE GLOBAL INTERNET AND HOW IT HARMS AMERICAN SPEECH IN THE UNITED STATES (Comm. Print Feb. 3, 2026).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Eliza Gkritsi, *US to EU: Your bureaucrats are not entitled to anonymity*, POLITICO (Feb. 20, 2026).

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doubling down on its censorship efforts by attempting to hide them from the public.<sup>7</sup> According to recent reporting, in response to fears about accountability from the United States, Prabhat Agarwal, the head of the European Commission’s enforcement team for the Digital Services Act (DSA), told a group of European regulators that his colleagues have “started sending messages via . . . an encrypted app, rather than email, and many now have messages set to auto-delete, with the ‘auto-delete timings getting shorter.’”<sup>8</sup> In light of this reporting, we write to reiterate that the Committee’s subpoena to X is “continuing in nature” and that the subpoena requires X to preserve and produce relevant communications, including these auto-deleting messages, with foreign censors.<sup>9</sup>

Pursuant to the subpoena, X has a duty to produce all “communications between X and foreign governments regarding the company’s compliance with foreign censorship laws, regulations, judicial orders, or other government-initiated efforts, and internal X communications discussing communications from foreign governments.”<sup>10</sup> The subpoena explicitly requires that these relevant documents “shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.”<sup>11</sup> As such, X has a duty to preserve and produce to the Committee even those messages sent by foreign regulators using messaging platforms with auto-delete functions.<sup>12</sup>

Accordingly, for all these reasons, we expect X’s full compliance with the terms of the Committee’s subpoena. Thank you for your attention to this matter.

Sincerely,



Jim Jordan  
Chairman

cc: The Honorable Jamie Raskin, Ranking Member

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<sup>7</sup> Eliza Gkritsi, *EU tech enforcer tells officials not to be scared by US threats*, POLITICO (Feb. 16, 2026).

<sup>8</sup> *Id.*

<sup>9</sup> Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Ms. Linda Yaccarino, CEO, X (Feb. 26, 2025) (attaching subpoena), Document Subpoena to Ms. Linda Yaccarino, CEO, X (Feb. 26, 2025), *Instructions*, ¶¶ 2, 14.

<sup>10</sup> Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Ms. Linda Yaccarino, CEO, X (Feb. 26, 2025) (attaching subpoena).

<sup>11</sup> Document Subpoena to Ms. Linda Yaccarino, CEO, X (Feb. 26, 2025), *Instructions*, ¶ 2.

<sup>12</sup> *Id.*