

AMY KLOBUCHAR, MINNESOTA  
RICHARD BLUMENTHAL, CONNECTICUT  
BRIAN SCHATZ, HAWAII  
EDWARD MARKEY, MASSACHUSETTS  
GARY PETERS, MICHIGAN  
TAMMY BALDWIN, WISCONSIN  
TAMMY DUCKWORTH, ILLINOIS  
JON TESTER, MONTANA  
KRYSTEN SINEMA, ARIZONA  
JACKY ROJAS, NEVADA  
BEN RAY, UTAH, NEW MEXICO  
JOHN HICKENLOPER, COLORADO  
RAPHAEL WARNOCK, GEORGIA

ROGER WICKER, MISSISSIPPI  
JOHN THUNE, SOUTH DAKOTA  
ROY BLUNT, MISSOURI  
TED CRUZ, TEXAS  
DEB FISCHER, NEBRASKA  
JERRY MORAN, KANSAS  
DAN SULLIVAN, ALASKA  
MARSHA BLACKBURN, TENNESSEE  
TODD YOUNG, INDIANA  
MIKE LEE, UTAH  
RON JOHNSON, WISCONSIN  
SHELLEY MOORE CAPITO, WEST VIRGINIA  
RICK SCOTT, FLORIDA  
CYNTHIA LUMMIS, WYOMING

LILA HELMS, MAJORITY STAFF DIRECTOR  
JOHN KEAST, REPUBLICAN STAFF DIRECTOR

## United States Senate

COMMITTEE ON COMMERCE, SCIENCE,  
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <https://commerce.senate.gov>

December 8, 2022

Chair Maria Cantwell  
Senate Committee on Commerce, Science, and Transportation  
511 Hart Senate Office Building  
Washington, D.C. 20002

Dear Chair Cantwell:

Two years ago, the Chief Executive Officers of Google, Facebook, and Twitter testified before the Senate Commerce Committee (the Committee) and promised to implement changes that would build trust and increase transparency in their content moderation practices. Instead, the leaders of these tech giants have only increased enforcement actions against prominent political voices online while continuing to elude accountability.

It has been over two years since the full Committee last held a hearing on how to preserve the internet as a forum for open discourse. Yet new information about Twitter's content moderation practices, recently revealed in the so-called "Twitter Files," makes clear that this issue demands further examination. I respectfully request that you hold a hearing about the state of free speech on social media before the end of the 117<sup>th</sup> Congress.

Some of our colleagues and I have long suspected that Twitter and Facebook acted arbitrarily to censor a *New York Post* story critical of Hunter Biden that may have affected the outcome of the 2020 election. Every new piece of information revealed has shown that we were right. My questioning of Jack Dorsey and Mark Zuckerberg in 2020 revealed that neither company had direct evidence that the censored *New York Post* article was Russian misinformation.<sup>1</sup> Indeed, the *Washington Post* has since verified that 22,000 emails on the hard drive that served as the source of the *New York Post* story are authentic.<sup>2</sup>

After the release of the "Twitter Files," we now know Twitter was removing content at the request of the Biden campaign and that the process for deciding to censor the *New York Post* story was haphazard at best. One Twitter employee expressed that he was "struggling to understand the policy basis for marking" the Hunter Biden story as "unsafe."<sup>3</sup> Another

<sup>1</sup> Does Section 230's Sweeping Immunity Enable Big Tech Bad Behavior?: Hearing Before the S. Comm. On Commerce, Sci. & Transp., 116<sup>th</sup> Cong. (Oct. 28, 2020).

<sup>2</sup> Craig Timber, Matt Viser, and Tom Hamburger, *Here's How The Post Analyzed Hunter Biden's Laptop*, The Washington Post (March 30, 2022) <https://www.washingtonpost.com/technology/2022/03/30/hunter-biden-laptop-data-examined/>.

<sup>3</sup> <https://twitter.com/mtaibbi/status/1598834882414727168?s=20&t=6TcgEAWU1u9790SQwqFFw>

employee had to ask if Twitter's public reasoning for censoring the story was truthful<sup>4</sup> after Twitter's Head of Trust & Safety admitted that Twitter was preventing the story from being shared.<sup>5</sup> Even while this chaotic process played out, Twitter continued to remove other content at the direction of the Biden campaign<sup>6</sup> and the Democratic National Committee.<sup>7</sup> It is now clear to everyone that Twitter coordinated with a presidential campaign and a party committee to suppress speech, and this Committee should not remain silent.

It is no secret that some members of the Committee are unwilling to take any action to combat censorship online, but I urge you to consider whether it is truly in the national interest for tech giants to skirt public accountability for the impacts their own decisions have had on our political process. I have proposed many ways to address these abuses by Big Tech companies, but I have met stiff resistance from members of this Committee. I proposed amending Section 230 in my Online Freedom and Viewpoint Diversity Act to limit Big Tech's ability to remove content. I also called for non-discrimination rules and increased transparency in my PRO-SPEECH Act.

Congress has a duty to protect the American people's freedoms online. I ask that you join me in creating more transparency by holding a hearing on preserving free speech on the internet before the end of the 117<sup>th</sup> Congress.

Sincerely,



Roger F. Wicker  
Ranking Member

---

<sup>4</sup> <https://twitter.com/mtaibbi/status/1598836068282814464?s=20&t=6TcgEAWU1u9790SQwqFFw>

<sup>5</sup> <https://twitter.com/mtaibbi/status/1598835411262279680?s=20&t=6TcgEAWU1u9790SQwqFFw>

<sup>6</sup> <https://twitter.com/mtaibbi/status/1598822959866683394>

<sup>7</sup> <https://twitter.com/mtaibbi/status/1598828601268469760?s=20&t=6TcgEAWU1u9790SQwqFFw>