

**PROTECTING SPEECH FROM GOVERNMENT  
INTERFERENCE AND SOCIAL MEDIA BIAS,  
PART I: TWITTER'S ROLE IN SUPPRESSING  
THE BIDEN LAPTOP STORY**

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**HEARING**  
BEFORE THE  
**COMMITTEE ON**  
**OVERSIGHT AND ACCOUNTABILITY**  
**HOUSE OF REPRESENTATIVES**  
ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

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**Wednesday, February 8, 2023**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY,  
*Washington, D.C.*

The Committee met, pursuant to notice, at 10:01 a.m., in room 2154, Rayburn House Office Building, Hon. James Comer (Chairman of the Committee) presiding.

Present: Representatives Comer, Jordan, Gosar, Grothman, Palmer, Higgins, Sessions, Biggs, Mace, LaTurner, Fallon, Donalds, Armstrong, Perry, Timmons, Burchett, Greene, McClain, Boebert, Fry, Luna, Edwards, Langeworthy, Burlison, Raskin, Norton, Lynch, Connolly, Krishnamoorthi, Mfume, Ocasio-Cortez, Porter, Bush, Brown, Gomez, Stansbury, Garcia, Frost, Balint, Lee, Casar, Crockett, Goldman, and Moskowitz.

Chairman COMER. The Committee on Oversight and Accountability will come to order. I want to welcome everyone.

Without objection, the Chair may declare a recess at any time.

I recognize myself for the purpose of making an opening statement.

Today's hearing is the House Oversight and Accountability Committee's first step in examining the coordination between the Federal Government and Big Tech to restrict protected speech and interfere in the democratic process. Social media platforms are increasingly the place where Americans go to express their views, debate issues, and gather news and information. These platforms are the virtual town square. However, many social media platforms are under the control of people who are hostile to the fundamental American principles of free speech and expression protected in the U.S. Constitution.

We have witnessed Big Tech autocrats wield their unchecked power to suppress the speech of Americans to promote their preferred political opinions. Twitter was once one of these platforms until Elon Musk purchased the company a few months ago. Mr. Musk has pledged to end censorship that goes beyond the law. He has pledged to allow Americans' voices be heard, not quashed. In this hearing, we will examine the actions taken by Twitter prior to Mr. Musk's ownership.

Many of these actions were carried out by the witnesses before us today. Prior to Mr. Musk's take over the company, Twitter aggressively suppressed conservative elected officials, journalists, and activists. This included shadow banning, blocking accounts, and banning accounts altogether. In fact, Twitter's previous management team de-platformed and suppressed not just conservative voices, but anyone whose opinions strayed from what they deemed acceptable, opinions such as that students could and should attend school in person to curb learning loss.

In the past, Twitter's leadership, including the previous CEO, Jack Dorsey, claim the company did not limit the visibility of certain accounts and tweets known as shadow banning. He said this in front of Congress in 2018, but we now know they did, even placing such accounts on search and trend blacklists. Twitter's employees made censorship decisions on the fly, often not following the company's own publicly stated policies. It worked hand-in-hand with the FBI to monitor the protected speech of Americans, receiving millions of tax dollars to do so.

Twitter, under the leadership of our witnesses today, was a private company the Federal Government used to accomplish what it constitutionally cannot limit: the free exercise of speech. We now know all this thanks to Elon Musk and the independent journalists, who have contributed to what are known as the Twitter Files. That brings us to the specific topic of today's hearing: Twitter's censorship of a news article that shed light on Joe Biden's involvement in his family's suspicious business deals.

In the months leading up to the laptop story, the FBI advised senior Twitter executives to question the validity of any Hunter Biden story. We also know that one of the witnesses before us today participated in an Aspen Institute exercise in September 2020 on a potential hack-and-dump operation related to Hunter Biden. Other Big Tech companies and reporters attended as well. This exercise prepared them for their future collusion to suppress and delegitimize information contained in Hunter Biden's laptop about the Biden's family business schemes.

On October 14, 2020, *The New York Post* published its first story based on information contained in Hunter Biden's laptop. The *Post* provided proof of the laptop's legitimacy by releasing a computer repair store's signed receipt for the laptop and the Federal subpoena used by the FBI to retrieve it in 2019. The article revealed that a top executive at Burisma, who was paying Hunter Biden \$50,000 a month, had spent time with then Vice President Biden in Washington, DC. Throughout his Presidential campaign, Joe Biden assured the American people that he had never spoken to his son about his overseas business dealings. However, the details exposed in the *Post* article indicate that Joe Biden lied to the American people.

Immediately following the story's publication, America witnessed a coordinated campaign by social media companies, mainstream news, and the intelligence communities to suppress and delegitimize the existence of Hunter Biden's laptop and its contents. That morning, Twitter and other social media companies took extraordinary steps to suppress that story. Twitter immediately removed the story and banned *The New York Post* account.

Twitter also banned accounts who shared the story, including White House Press Secretary Kayleigh McEnany, and blocked its transmission via direct message. This episode marked the first time Twitter directly limited the spread of information from a mainstream news organization, and *The New York Post* would not get its account back for two weeks. Twitter would finally admit its mistake, but the damage had already been done. On October 19, 51 former intelligence officials published a letter that Hunter Biden's laptop was Russian disinformation, which Joe Biden used as a talking point at a Presidential debate on October 22, but we all know now this was not Russian disinformation. It wasn't disinformation.

I want to make sure the American people truly understand the timeline here, because it is very important. The Hunter Biden laptop story was published on Wednesday. Twitter did not acknowledge their mistake for at least 24 hours. Then on Monday morning, 51 former intelligence officials published their letter. That letter was then wholeheartedly accepted by mainstream news as proof that the laptop was fake. Joe Biden used that letter to brush aside the few questions he received about the story. During that time, the mainstream media was more concerned about what flavor of ice cream Joe Biden had ordered on a particular day. All this happened two weeks before the 2020 election. Two weeks.

One survey found that 70 percent of Biden voters would not have voted for the Biden-Harris ticket if they had known about the Biden laptop, but many Americans did not know about it because of a coordinated cover up by Big Tech, the swamp, and mainstream news. Now, mainstream media outlets have verified the laptop, but the damage has been done.

Today we are joined by three former high-ranking employees at Twitter: Vijaya Gadde, Twitter's former top lawyer; James Baker, Twitter's former deputy general counsel; and Yoel Roth, Twitter's former head of trust and safety. We are also joined by Anika Collier Navaroli, Twitter's former head of trust and safety, former member of Twitter's U.S. Safety Policy Team. Let me get that right. I would like to thank you all for your participation in today's hearing. We owe it to the American people to provide answers about this collusion to censor information about Joe Biden's involvement in his family's business schemes.

With that, I yield to the Ranking Member for his opening statement.

Mr. RASKIN. Thank you kindly, Mr. Chairman. Last night in his State of the Union address, over all the heckling, President Biden reviewed significant achievements his Administration and congressional Democrats are delivering for the American people: the lowest unemployment rate in over 50 years; a manufacturing boom in clean energy, semiconductors and infrastructure; expanding healthcare for veterans and lowering prescription drug costs for seniors and people with diabetes; beating the opioid epidemic and addressing our national mental health crisis; and historic action on climate change. But this morning, we returned not to focus on advancing this robust agenda of progress, but instead to take up an authentically trivial pursuit, all based on the obsessive victimology of right-wing politics in America. The majority has called a hearing

to revisit a two-year-old story about a private editorial decision by Twitter not to allow links to a single *New York Post* article made for a two-day period that had no discernible influence on anyone or anything.

The *New York Post* published the article in its own pages, and it was carried by lots of other media outlets. It was widely discussed, including on Twitter itself, even during the brief moment in time when links weren't provided, and it was a fixture in right-wing media for the next three weeks before the election. I think even the Chairman and other Members of this Committee were out on TV and social media talking about it. But instead of letting this trivial pursuit go, my colleagues have tried to whip up a full scandal about this two-day lapse in their ability to spread Hunter Biden propaganda on a private media platform. Silly does not even begin to capture this obsession.

What is more, Twitter's editorial decision has been analyzed and debated ad nauseam. Some people think it was the right decision, some people think it was the wrong decision, but the key point here is that it was Twitter's decision. Twitter is a private media company. In America, private media companies can decide what to publish or how to curate content, however they want. If Twitter wants to have nothing but tweets commenting on *New York Post* articles run all day, it can do that. If such tweets mentioning *New York Post* never see the light of day, they can do that, too. That is what the First Amendment means. Twitter can ban Donald Trump for inciting violent insurrection against the Union, as he was impeached by the House of Representatives, and as 57 of 100 Senators found he did, and he can also try to resurrect his political career.

Elon Musk just purchased Twitter and, therefore, controls its editorial content. And among the first things he did was to fire some people, hire some people, denounce some prior decisions, and reinstate an unrepentant and still clearly lying Donald Trump to the platform. Those decisions, however heroic or imbecilic you think they might be, are protected by the First Amendment in the United States of America.

Officially, Twitter happens to think they got it wrong about that day or two period. In hindsight, Twitter's former CEO, Jack Dorsey, called it a mistake. This apology might be a statement of regret about the company being overly cautious about the risks of publishing contents of potentially hacked or stolen materials, or it may reflect craven surrender to a right-wing pressure campaign. But, however you interpret it, the apology just makes the premise of this hearing all the more absurd. The professional conspiracy theorists who are heckling and haranguing this private company have already gotten exactly what they want: an apology. What more do they want, and why does the U.S. Congress have to be involved in this nonsense when we have serious work to do for the American people?

But what makes this hearing tragic is that if our colleagues really wanted to examine a serious problem involving American democracy in social media, my friends, it is staring us in the face right now. Twitter and other social media companies acted as central organizing and staging grounds through the January 6 violent insur-



rection against Congress and against Vice President Pence. Twitter became the national and global platform for incitement to seditious violence against our government and a forum on the day of attack through coordinating logistical movements and tactical maneuvers in the mob violence against our police officers.

In the lead-up to January 6, Twitter decided to allow Donald Trump and countless MAGA extremists to use the platform to spread Trump's ridiculous Big Lie and disinformation about the election. And soon the internet was replete with incitement for civil war, race war, insurrection, revolution, and mob violence. Twitter did so despite increasingly desperate appeals from its own employees to act in the interest of public safety approaching January 6. The First Amendment is robust and expansive, but it stops at this point. It does not protect anyone's right to engage in incitement to imminent lawless action and violent action against the government or against other people. This is the Brandenburg principle.

There is no carveout to free speech for speech relating to the *New York Post*, or Hunter Biden, or laptops, but there is a significant carveout when the speech is deliberately calculated to produce imminent violence and chaos against the government. That is why Twitter's deliberate indifference to Trump's big lies and incitement, its decision to ignore the pleas of its own employees, to deal with the impending explosion against our police and against Congress on January 6, are matters that require real investigation and reflection. Rather than conspiring to suppress right-wing MAGA speeches, my colleagues astonishingly claimed Twitter and other media companies knowingly facilitated Trump's spread of disinformation, or what his own sycophantic Attorney General William Barr would come to call bullshit, and gave voice to his followers, glorification of violence, and calls for civil war.

Today we will hear from Anika Collier Navaroli, a former Twitter employee turned corporate whistleblower and patriotic hero, who raised the alarm inside Twitter about numerous accelerating warning signs that she saw leading up to the violent and catastrophic attack on the Capitol on January 6, 2021. Ms. Navaroli is here today to publicly testify about how senior officials at Twitter resisted her efforts to put policies in place or to enforce existing policies to promote public safety and to defend our national security. Twitter management, however, did not want to cross Donald Trump.

I don't know precisely how we will solve the problem of private social media platforms being used for the organization of coups and incitement of violent insurrection against the United States, or Brazil, or any other country, but this is a grave problem confronting democracy, not just America, but all over the world. It is not a silly concocted partisan issue. We must analyze it carefully and legislate effectively to address it. And we must never forget that the enemies of democracy, led by autocrat and war criminal, Vladimir Putin, are spending hundreds of millions of dollars on social media propaganda and disinformation to destabilize democracy all over the world, even as they wage their genocidal, illegal aggressive war against the people from Ukraine.

How are we going to prevent the liberal democracies from being overrun by propaganda, disinformation, and violent incitement? We

will listen to Anika Collier Navaroli because she has something important to say. She poses a problem that would be worthy of a serious congressional hearing, and we should have one. Thank you, Mr. Chairman. I yield back.

Chairman COMER. The gentleman yields back. I want to thank again the witnesses for appearing here today. Today's witnesses are former Twitter employees, Vijaya Gadde, Twitter's former General Counsel; James Baker, Twitter's former Deputy General Counsel; Yoel Roth, Twitter's former Head of Trust and Safety; and Anika Collier Navaroli, a former member of Twitter's U.S. Safety Policy Team.

I want to remind everyone, you all are appearing under subpoena by your own request. Pursuant to Committee Rule 9(g), the witnesses will please stand and raise their right hands.

Do you solemnly swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

[A chorus of ayes.]

Chairman COMER. Let the record show that the witnesses all answered in the affirmative.

We will begin the five-minute question portion of our hearing today. We will start with the opening statements, then we will go to the questions. So, each witness will get a five-minute opening statement, and we will begin with you, Mr. Baker.

**STATEMENT OF JAMES BAKER, FORMER DEPUTY GENERAL COUNSEL, TWITTER**

Mr. BAKER. Thank you, Mr. Chairman. Mr. Chairman, Ranking Member Raskin, and Members of the Committee, thank you for the opportunity to appear before you today. I hope that we will have a useful conversation about matters that are of great importance to the Nation and the world.

My main goals for this statement are simply to attempt to set the record straight with respect to certain false assertions that have been made about me in the public arena and to offer a suggestion with respect to potential legislation in the area of social media regulation. As the Committee is aware, however, based on the advice of counsel, I believe in good faith that I am constrained today by my legal and ethical obligations as a former lawyer for Twitter, as well as by certain non-disclosure agreements. Within those constraints, however, I will endeavor to respond to the Committee's questions as fully as I possibly can, and I believe I can make the following statements.

First, I was not aware of and certainly did not engage in any conspiracy or other effort to do anything unethical, improper, or unlawful while I was at Twitter. Period. I did not act unlawfully or otherwise inappropriately in any manner with respect to Hunter Biden's laptop. Indeed, documents that Twitter has disclosed publicly reflect that I urged caution with respect to the matter and noted that we needed more information to fully assess what was going on and to decide what to do, hardly a surprising piece of advice from a corporate lawyer.

Moreover, I am aware of no unlawful collusion with or direction from any government agency or political campaign on how Twitter

should have handled the Hunter Biden laptop situation. Even though many disagree with how Twitter handled the Hunter Biden matter, I believe that the public record reveals that my client acted in a manner that was fully consistent with the First Amendment. I think that the best reading of the law is that as a private entity, the First Amendment protects Twitter and its content moderation decisions. And I do not believe that the facts in the public record indicate that Twitter became a state actor as that concept is defined under existing precedent, such that the First Amendment would have constrained it.

Second, I believe that at all times, I executed my duties and responsibilities to my client, Twitter, lawfully and ethically. At no time was I an agent or operative of the government or any political actor when I worked at Twitter. To the contrary, I believe that I worked zealously and diligently within the bounds of the law in pursuit of my client's best interests. Third, I did not destroy or improperly suppress any documents at Twitter regarding information important to the public dialog. At all times I sought to help my client understand and comply with its legal obligations. It is worth noting that the public record indicates that after I left the company, attorneys or other unidentified third parties collected and/or reviewed the contents of at least some of the Twitter Files prior to their release.

Fourth, Twitter disclosed publicly emails between me and Yoel Roth regarding one of Donald Trump's tweets about COVID. I do not have access to my Twitter email, so I do not know if or how I responded to Mr. Roth. To the best of my recollection, I do not recall directing or urging him to take action with respect to Mr. Trump's tweet. Instead, what I recall is that I asked him a question so that I could better understand how he and others were implementing Twitter's COVID misinformation policy. Asking questions and learning more about what a client's activities are is what I think good lawyers should do, and again, hardly surprising.

Fifth, the Twitter Files referenced prior investigations of me. It is true that the Department of Justice investigated certain aspects of my conduct while I was employed by the FBI related to the handling of certain information. Because I believe in the accountability for government officials, I cooperated with the Department, including sitting for lengthy interviews. Eventually the Department closed the matter. No adverse action was taken with respect to me, and my security clearances while a government employee were never restricted because of the matter.

In closing, Mr. Chairman, I want to return briefly to the general topic of government interaction with social media companies. The law permits the government to have complex, multifaceted, and long-term relationships with the private sector. Law enforcement agencies and companies can engage with each other regarding, for example, compulsory legal process served on companies; criminal activity that companies, the government, or the public identify, such as crimes against children, cybersecurity threats, and terrorism; and instances where companies themselves are victims of crime. When done properly, these interactions can be beneficial to both sides and in the interest of the public.

As you, Mr. Chairman, Mr. Jordan, and others have proposed, a potential workable way to legislate in this area may be to focus on the actions of Federal Government agencies and officials with respect to their engagement with the private sector. Congress may be able to limit the nature and scope of those interactions in certain ways, require enhanced transparency and reporting by the executive branch about its engagements, and require higher-level approvals within the executive branch prior to such engagements on certain topics so that you can hold Senate-confirmed officials, for example, accountable for those decisions. In any event, if you want to legislate, my recommendation is to focus first on reasonable and effective limitations on government actors. Thank you, Mr. Chairman.

Chairman COMER. Thank you, Mr. Baker. Ms. Gadde?

**STATEMENT OF VIJAYA GADDE, FORMER CHIEF LEGAL OFFICER, TWITTER**

Ms. GADDE. Chairman Comer, Ranking Member Raskin, and Members of the Committee, thank you for this opportunity to provide this opening statement.

After a decade as a corporate lawyer, I joined Twitter in 2011 as the first member of the corporate legal team. In 2013, I was promoted to general counsel. In 2018, I became the chief legal officer and continued in that role until October 2022. During my time at Twitter, I had many distinct teams reporting to me, including legal, trust and safety, public policy, corporate security, and compliance.

I was drawn to work at Twitter because I was inspired by how people were able to use the platform and awed by its potential. Twitter enabled anyone to hear directly from any individual instantly. People from around the world were coming together on Twitter for an open and free exchange of ideas. The work was challenging and fulfilling. After Jack Dorsey returned to CEO in 2015, one of his top priorities became what we called the health of the public conversation. This was based on customer research, advertiser feedback, Twitter's declining revenue, user growth, and stock price. Teams across Twitter were focused on making the platform safer, better, and more profitable. As an executive of the company, I also was responsible for helping to achieve the corporate goals set by Mr. Dorsey, and I was accountable to him, the board of directors, and ultimately Twitter's public stockholders.

As we prioritized the health of the public conversation, we did not lose sight of what Twitter was for most people: a place to talk about their favorite things, topics that animated the platform ranged from K-pop, to the World Cup, to video games and movies. We needed to ensure that differences of opinion would not cross the line, for example, into sending death threats to soccer players who missed important goals, distributing non-consensual intimate photos, or cyber bullying so vicious that it could compromise a teenager's mental health. Twitter's platform rules covered a wide range of conduct and changed over time based on new behaviors and harms on the platform and feedback from customers, regulators, governments, advertisers, researchers, and others. This feedback led to a principles-based approach, which we applied to an array of difficult, yet equally complicated, situations around the

world. These rules were also benchmarked against industry standards. We all knew how difficult it would be to design, much less apply, one set of global rules for hundreds of millions of accounts that shared billions of tweets a week.

While I was at Twitter, the company never lost sight of its deep commitment to promoting and defending free expression around the world. For example, to protect human rights defenders, we fought for the right of people to use pseudonyms on the platform. We litigated in courts around the world to protect the rights of people to express their opinions, often defending them against their own governments who were acting unlawfully or violating international human rights. And we took extra precautions to ensure we scrutinized or challenged and never just acquiesced to government legal demands.

Defending free expression and maintaining the health of the platform required difficult judgment calls. Most applications of Twitter's rules were fact-intensive, subject to internal debate, and needed to be made very quickly. We recognized that after applying our rules, we might learn that some of them did not work as we imagined and that we would have to update them. We always remained open to new information from our customers and critics regarding our policies and enforcement. At times, we also reversed course.

For example, on October 14, 2020, the *New York Post* tweeted articles about Hunter Biden's laptop with embedded images that looked like they may have been obtained through hacking. In 2018, we had developed a policy intended to prevent Twitter from becoming a dumping ground for hacked materials. We applied this policy to the *New York Post's* tweets and blocked links to articles embedding those source materials. At no point did Twitter otherwise prevent tweeting, reporting, discussing, or describing the contents of Mr. Biden's laptop. People could and did talk about the contents of the laptop on Twitter or anywhere else, including other much larger platforms, but they were prevented from sharing the primary documents on Twitter. Still, over the course of that day, it became clear that Twitter had not fully appreciated the impact of that policy on free press and others. As Mr. Dorsey testified before Congress on multiple occasions, Twitter changed its policy within 24 hours and admitted its initial action was wrong. This policy revision immediately allowed people to tweet the original articles with the embedded source materials.

Relying on its longstanding practice not to retroactively apply new policies, Twitter informed the *New York Post* that it could immediately begin tweeting when it deleted the original tweets, which would have freed them to retweet the same content again. The *New York Post* chose not to delete its original tweets, so Twitter made an exception after two weeks to retroactively apply the new policy to the *Post's* tweets. In hindsight, Twitter should have reinstated the *Post's* account immediately.

There is no easy way to run a global communications platform that satisfies business and revenue goals, individual customer expectations, local laws, and cultural norms, and get it right every time. Still, while I was at Twitter, we worked hard every day to

make Twitter a healthy platform, and ultimately, a healthy business.

Thank you for your attention. I look forward to your questions. Chairman COMER. Thank you very much. Mr. Roth?

**STATEMENT OF YOEL ROTH, FORMER GLOBAL HEAD OF  
TRUST & SAFETY, TWITTER**

Mr. ROTH. Thank you, Chairman Comer, Ranking Member Raskin, and Members of the Committee, for the opportunity to speak with you here today.

In nearly eight years at Twitter, I worked in and led a division called Trust and Safety. Trust and Safety's core duty is content moderation, removing tweets that violate Twitter's terms of service and suspending users who repeatedly break the rules. This work is sometimes dismissed merely as censorship, but it represents a key way that Twitter and other companies live up to their responsibility to keep the users of their products safe.

Much of this work is uncontroversial, for example, taking down accounts that engage in child sexual exploitation or promote terrorism. The gray area of this work, though, is when Trust and Safety teams have to make decisions about so-called "lawful, but awful material," content that may be legal in many jurisdictions, but isn't something most people would want to experience. Think of things like posting someone else's home address without their permission or bullying somebody for a disability or for how they look. A free speech absolutist might say, yes, that kind of content is unpleasant, but it is not against the law. What right do you have to remove it? The answer is, the need to make Twitter an appealing product for millions of people.

Consistently in its own research, Twitter found that users were unhappy with the company's approach to content moderation, and that this dissatisfaction drove people away from the service. This has consequences for what we mean by free speech on social media. Again and again, we saw the speech of a small number of abusive users drive away countless others. Unrestricted free speech paradoxically results in less speech, not more, and it was our job in Trust and Safety to try to strike an appropriate balance. But the importance of this work goes far beyond Twitter's business prospects and into the realm of national security.

In 2017, I led the team at Twitter that uncovered significant interference in an American election by agents of the Russian Government. Their mission was to stoke culture war issues on social media to try to further divide Americans. My team and I exposed hundreds of thousands of these accounts from Russia, but also from Iran, China, and beyond. It is a concern with these foreign interference campaigns that informed Twitter's approach to the Hunter Biden laptop story.

In 2020, Twitter noticed activity related to the laptop that at first glance bore a lot of similarities to the 2016 Russian hacking leak operation targeting the DNC, and we have to decide what to do, and in that moment with limited information, Twitter made a mistake. Under the distribution of hacked material policy, the company decided to prevent links to the *New York Post* stories about the laptop from being shared across the service. I have been clear

that in my judgment at the time, Twitter should not have taken action to block the *New York Post's* reporting.

In just 24 hours after doing so, the company acknowledged its error, but the decisions here aren't straightforward, and hindsight is 20/20. It isn't obvious what the right response is to a suspected, but not confirmed, cyberattack by another government on a Presidential election. I believe Twitter erred in this case because we wanted to avoid repeating the mistakes of 2016. And so, the basic job of trust and safety is to try to strike this balance between the harms of restricting too much speech and the dangers of doing too little. I will be the first to admit that we didn't always get it right. Even rare mistakes add up when you are carrying out content moderation at the scale of hundreds of millions of unique posts per day.

While I was head of Trust and Safety at Twitter, I strove to do this work with impartiality and with a commitment to the fair enforcement of Twitter's written rules. But whether it is me, or Elon Musk, or someone else in the future, someone will have to make choices about the governance of online spaces. Those decisions should not be made behind closed doors or based on personal whims.

I hope that we can work together to find ways to bring greater trust and transparency to social media, and I look forward to answering the Committee's questions about any of these topics to the best of my ability.

Chairman COMER. Thank you. Ms. Navaroli?

**STATEMENT OF ANIKA COLLIER NAVAROLI, A FORMER  
MEMBER OF U.S. SAFETY POLICY TEAM, TWITTER**

Ms. NAVAROLI. Good morning, Chairman Comer, Ranking Member Raskin, and Members of the Committee. Thank you so much for the opportunity to speak with you all today. I am here because there is an urgent need for us to understand the impact that social media companies are having on our democracy.

I will be very clear. I was not involved in the decision around Hunter Biden's laptop, but I was involved in decisions that were made leading up to, during, and after the January 6 attack on the Capitol. If we are going to talk about social media and the government, we need to talk about Twitter's failure to act before January 6. I am here to tell you that doing nothing is not an option. If we continue to do nothing, violence is going to happen again.

My background is as a trained lawyer and journalist, and my expertise over the past decade has been in the areas of media, technology, law, and policy with a particular focus on social media and free expression. I joined Twitter in 2019, and by 2020, I was the most senior expert on Twitter's U.S. Safety Policy Team. My team's mission was to protect free speech and public safety by writing and enforcing content moderation policies around the world. These policies included things like abuse, harassment, hate speech, violence, and privacy. So, if no other algorithm or no other human could decide if a tweet violated my team's policies, the Safety Team policy acted as the final moderators. If a high-profile individual, like any Member of this Committee or President Trump, tweeted something controversial, it was sent to my team's desk. Every day, we had to

decide whether a particular piece of content equated to yelling “fire” in a crowded theater.

My work at Twitter and subsequently at Twitch put me in the middle of key events in history. What I have learned from them is that social media played and continues to play a role in these events, and two years after January 6, we still need to better understand the role that Twitter played in order to prevent it from happening again. So, what do we need to understand? First, Twitter’s leadership bent and broke their own rules in order to protect some of the most dangerous speech on the platform. I am going to talk a little bit about what happened in the months leading up to January 6.

During this time, my team worked to try to minimize the threat of violence that we saw coming. After President Trump instructed the Proud Boys to “stand back and stand by” in a debate, we considered the danger that that statement would have if it was tweeted. So, we crafted what we called a coded incitement to violence policy to address dog whistles like this. Instead of approving it, management bent over backward to find ways to not approve it. On January 5, when the policy was still not approved, I led a meeting where one of my colleagues asked management whether someone was going to have to get shot before we were allowed to take down tweets. Another colleague looked up live tweets and read them to management to try to convince them of the seriousness of the issue. Still, no action was taken. On the morning of January 6, I sent Twitter lawyers a message warning them that our team was hamstrung by leadership. Two days later when it looked like it was going to happen all over again, I asked management whether they wanted more blood on their hands. Only then did they act.

The second problem is that there is way too much power concentrated in the hands of too few. With January 6 and many other decisions, content moderators like me did the very best that we could, but far too often there are far too few of us, and we are being asked to do the impossible. For example, in January 2020, after the U.S. assassinated an Iranian General and the U.S. President decided to justify it on Twitter, management literally instructed me and my team to make sure that World War III did not start on the platform. No person, people, or company should have that kind of unchecked power or that kind of responsibility. The modern day public conversation should not be susceptible to the whims of any one individual or any one company.

Fixing the systemic issues that lead to bad decisions is not going to be easy, but people like me who have been in the trenches can help lead the way, but I must say coming forward and offering this information is risky, and it is difficult. Doxing and harassment are real, and people are afraid to tell what they know, so we need to make sure that there are protections for those who speak the truth. We need to create space to hear from people on the front lines. We need to give them protection so they can share their experiences. Only then can we begin to understand the full scope of the problem and to find solutions. There is far too much at stake for us to do nothing. Thank you.



Chairman COMER. Thank you all. Excellent opening statements. Now we will begin with the question portion. We will begin by recognizing Mr. Biggs for five minutes.

Mr. BIGGS. Thank you, Mr. Chairman. Mr. Roth, within just mere minutes or hours after the *New York Post* published its story on the Hunter Biden laptop, at 8:51 a.m., you sent a message to a team, part of your team, I assume. And you said, “It isn’t clearly violative of our hack materials policy,” referring to the story, “nor is it clearly in violation of anything else”. Do you remember sending that message?

Mr. ROTH. Thank you for the question, Congressman. I don’t recall that message specifically, but that does sound like my judgment on that day, yes.

Mr. BIGGS. OK. So, that was early on in the day, and yet, shortly thereafter, Kayleigh McEnany, White House Press Secretary, her account was locked. So, an inquiry was made the next day by a person named Carolyn Strom. Do you know Carolyn Strom?

Mr. ROTH. Yes, sir, I do.

Mr. BIGGS. Yes. Carolyn Strom asked what is going on here, and somebody named Elaine Onsotto said, “The user was bounced by Site Integrity for violating our hacked materials policy.” Do you remember that incident?

Mr. ROTH. Yes, sir, I do.

Mr. BIGGS. And somebody named Trenton Kennedy said, “I am struggling to understand the policy basis for marking this as unsafe, and I think the best explainability argument”—now that may be a technical term for you, but for me, it looks like ‘we are trying to create a narrative here to cover our butt’—“the best explainability argument for this, externally, will be that we are waiting to understand that this story is the result of hacked materials.” Do you remember Mr. Kennedy’s communication?

Mr. ROTH. Yes, I do.

Mr. BIGGS. Yes. And so, then we get into a whole series of things written by Mr. Baker going back and forth, and he says on that same day, now at 9:26, which is about a half an hour after your statement that you don’t think that anything has been violated here, he says, “I have seen some reliable cybersecurity folks question the authenticity of the emails in another way.” But by the way, that is almost inconceivable. I mean, it just seems inconceivable that that would have happened so quickly that he would have that.

And then you send out something right after that that said: “The key factor in forming our approach is consensus from experts monitoring election security and disinformation, that this looks a lot like a hack-and-leak that learned from the 2016 WikiLeaks approach.” I am wondering if you can name for me today any of the experts that seemed to have a consensus at 10:12 a.m. on the morning of October 14 that you put out saying that we are going to rely on some group of experts. Who were they?

Mr. ROTH. Thank you for the question. Twitter did not give me access to any of my documents or emails to prepare for this hearing, and so, unfortunately, I can’t give you a direct answer.

Mr. BIGGS. Mr. Roth, were there experts? Were there people that you consulted that were cybersecurity experts between 9 a.m. and 10:15 a.m. on that day?

Mr. ROTH. My recollection is that we were following discussions about this incident as they unfolded on Twitter, so cybersecurity experts were tweeting about this incident and sharing their perspectives, and that informed some of Twitter's judgment here. But I want to emphasize, as I said in my statement, I didn't think that the evidence or those perspectives warranted removal, and I advocated against taking that action.

Mr. BIGGS. I understand. Let's look at one other document. "Our teams made the determination that the materials fall under our hacked materials policy." It is my understanding from reports and internal sources that normally a hacked material policy would require a government official or law enforcement determination that there has actually been a hacked account before that hack policy were to be in placed or imposed." Is that accurate?

Mr. ROTH. No, sir, it is not.

Mr. BIGGS. So, the policy did not require that there be any kind of official finding by a government source?

Mr. ROTH. No. There were a number of different types of evidence that we considered under the policy. Certainly, government attribution would be a powerful one, but we also look—

Mr. BIGGS. So, that wasn't determinative is what you are saying?

Mr. ROTH. In that instance, we did not have any specific information from any government source, no.

Mr. BIGGS. OK. I am going to read something that applies to this and several other things. From the Twitter stack that you guys had, "This might be an unpopular opinion, but one-off ad hoc decisions like this that don't appear rooted in policy are, in my humble opinion, a slippery slope and reflect an alternatively equally dictatorial problem." Quite frankly, that is what the essence of all four of your testimony—I realize you are trying to fight against it—but you exercised an amazing amount of clout and power over the entire American electorate by even holding them hostage for 24 hours, reversing your policy, and then hold it, and then they are like, well, we want to go back to the originals. That is 24 hours or two weeks, that you imposed your will on the American electorate. I yield back, Mr. Chairman.

Chairman COMER. The gentleman's time has expired with 30 seconds over. I will give the Ranking Member an extra 30 seconds.

Mr. RASKIN. You are very fair minded, Mr. Chairman. Mr. Roth, let me start with you. Did I hear you correctly to say that there were thousands or even hundreds of thousands of counterfeit Twitter accounts set up by Russian propaganda and disinformation for Vladimir Putin to pump his poison into the bloodstream of American social media? Is that right?

Mr. ROTH. That is right, sir, and that is not just past tense. Those accounts are active on social media today. This is an ongoing campaign.

Mr. RASKIN. Well, we should have a hearing about that. I appreciate your alerting to us what has taken place. Ms. Navaroli, you have testified that in the months leading up to the November 2020 election and then in the weeks before January 6, you were growing

increasingly anxious about the violent rhetoric and incitement that you saw posted on Twitter. Can you describe specifically what made you so concerned during that period, and did you raise your concerns with people at Twitter?

Ms. NAVAROLI. Thank you for that question. As I said in my opening statement, after former President Trump and his debate said the statement, “stand back, stand by,” to the Proud Boys, my team, in discussion with other teams at Twitter, realized that we had a gap in our policies and that that could not be said on the platform because it would have gone too far. What we did see continue to happen was those statements, in addition to other coded incitement to violence, or dog whistles, begin to spring up on the platform, and so, what was once fringe ideology or fringe statements that were calling for the overthrow of the government became a loud roar. And so, we heard individuals beginning to say that they were locked and loaded, that they were ready for Civil War part two, that they were ready for another revolution, that they were ready for the day of the rope in very clear English on Twitter.

Mr. RASKIN. And on the January 6th Committee, we have tens of thousands of statements like that being made on Twitter and other parts of social media, so we got a little taste of what you were experiencing on a daily basis. Now there was this meeting on January 5 at Twitter. I don’t think it was called specifically to look at what was going to happen the next day. That just happened to be a regular meeting. But at that meeting, you and other employees raised urgently the problem of what you saw coming on January 6. How did Twitter management respond to the concerns that you raised?

Ms. NAVAROLI. That is a great question, and, yes, that meeting was a regularly scheduled meeting. Within the meeting, I believe I have referred to it in my testimony to the January 6th Committee as I was at my wit’s end. I had argued, I had asked questions, I had asked for clarification. We had found dangerous tweets within the meeting, and yet the individual who was the most senior leader within the team in that meeting told us that we were not allowed to take that content down and that we were not allowed to use the coded incitement to violence policy. The reason that she gave us mirrored what we had been told by the former head of Trust and Safety, Del Harvey, that individuals might be saying things like “locked and loaded” or “stand back and stand by” in ways of self-protection. That was not what we were seeing on the platform.

Mr. RASKIN. So, when you were seeing things like “locked and loaded,” and “Civil War part two,” and “race war,” and so on, were you wanting your superiors at Twitter to know that you thought there was going to be real violence, that this was not hyperbole that was being spoken at that point?

Ms. NAVAROLI. Absolutely. I specifically told Del Harvey herself that someone was going to get shot, as I testified to the January 6th Committee.

Mr. RASKIN. You stated that Donald Trump described his own tweets as little missiles. Why did that stick in your mind?

Ms. NAVAROLI. Yes, the quote that you are referring to, I don’t remember exactly what news article that it was in, but it was a

news article that I had read in which the former President said that he likes to send out his tweets like little missiles. To me, that sounded exactly like weaponization of a platform, in his own words, and yet Twitter was not concerned.

Mr. RASKIN. All right. Well, again, this bears a complete hearing on its own. This is a real issue, unlike something that happened a couple years ago for 24 hours that has already disappeared in the sands of time, but this is facing us today. As you say, those right-wing violent forces are still out there, and the social media can still be used as a channel for incitement to violent action against state legislatures, school boards, the Capitol of the United States, Congress, and so on. How do we prevent this from happening in the future, and do you think that Twitter is dealing with this problem effectively now?

Ms. NAVAROLI. As I said in my opening statement, we have to do something. There is too much at stake for us to continue to do nothing, and this question of how do we prevent it is a big one. Unfortunately, I do not believe that we are at a place that we can come to solutions because we do not know how these companies work. We must continue to hear from individuals like myself. We must have a seat at the table to be able to share our experiences because our experiences and the ways that we have succeeded, the ways that we have failed, hold the key to our futures and the key to our democracies.

Mr. RASKIN. All right. Thank you, Mr. Chairman. I would just say I was skeptical about revisiting the whole *New York Post* thing where there have already been congressional hearings and they have already apologized for their little lapse, but this is a serious issue. And so, I am glad we at least have the opportunity to begin to talk about it in public, and I yield back to you. Thank you.

Chairman COMER. The gentleman yields back. I will recognize myself now for questioning.

The Biden family investigation begins with the story of how Big Tech, the media, former intelligence agents, and Biden himself suppressed the story of Hunter Biden's laptop weeks before the 2020 election. Today we are hearing from Twitter executives who buried the *New York Post* laptop story claiming it violated the platform's hacked materials policy. In reality, the Twitter executives were hostile toward conservatives and biased toward anyone who oppose their points of view. For example, Mr. Roth, did you write this tweet?

Mr. ROTH. I regret the language that I used in some of my former tweets, but, yes, I did post that.

Chairman COMER. And I will read the tweet so it is in the record. "Yes, that person in the pink hat is clearly a bigger threat to your brand of feminism than actual Nazis in the White House." Mr. Roth, do you think all conservatives are Nazis?

Mr. ROTH. Certainly not, sir.

Chairman COMER. What about the hundreds of people that worked in the Trump Administration?

Mr. ROTH. Certainly not.

Chairman COMER. Did Ms. Gadde or any other lawyer at Twitter ever tell you to take down that tweet?

Mr. ROTH. No. Twitter did not have a practice of restricting employees sharing their personal viewpoints on the service.

Chairman COMER. Turning back to the laptop, Ms. Gadde, are you aware of that Hunter Biden's lawyers, as recently as last week, wrote the Department of Justice about Hunter Biden's laptop?

Ms. GADDE. I have seen some articles about that.

Chairman COMER. Yes, they did, and it appears that Hunter Biden's attorney is admitting that the laptop and emails on it are authentic. Ms. Gadde, on October 14, 2020, did Hunter Biden report to Twitter that he was the victim of a hack?

Ms. GADDE. No, I don't believe he did.

Chairman COMER. Ms. Gadde, when the *New York Post* initially broke the story about the laptop, did you call Hunter Biden's lawyer to ask if it was authentic?

Ms. GADDE. No, I did not.

Chairman COMER. Isn't it correct that the Biden campaign had contact with Twitter in the run-up to the 2020 election?

Ms. GADDE. Not to my knowledge.

Chairman COMER. And you are telling this Committee that you didn't ask any Biden representative if the laptop was real or for Hunter Biden's attorney's phone number to confirm its authenticity?

Ms. GADDE. We did not speak to anybody related to that.

Chairman COMER. Mr. Baker, are you aware that the FBI had Hunter Biden's laptop since December 2019?

Mr. BAKER. I am sorry. Am I aware of that now?

Chairman COMER. Well, were you aware then?

Mr. BAKER. Then? No, I don't believe sir. To the best of my recollection, I don't think that I was aware.

Chairman COMER. But you are aware now.

Mr. BAKER. I have heard that now, yes.

Chairman COMER. Mr. Baker, did you call any of your contacts at the FBI to ask whether or not they knew if the material had been hacked?

Mr. BAKER. I don't recall contacting them about that on that day.

Chairman COMER. Mr. Roth, Ms. Gadde, and Mr. Baker, it appears to me that you failed at your jobs. You were entrusted with the highest level of power at Twitter, but when you were faced with the *New York Post* story, instead of allowing people to judge the information for themselves, you rushed to find a reason why the American people shouldn't see it. In a matter of hours, you are deciding on the truth of a story that spans years and dozens of complex international transactions. You did this because you were terrified of Joe Biden not winning the election in 2020. That is what it appeared. I can assure you, this Committee will succeed in holding the Bidens accountable. So much of the evidence of wrongdoing from this family is located in that hard drive that you all led the American people to believe was Russian disinformation when, in fact, it was not.

Now I agree with Mr. Baker's opening statement. The concern for me is the level of involvement the FBI had with not just Twitter, but all of our social media platform companies. And I think it kind of goes in the opposite direction whereby my friend, the Ranking Member, was trying to take this in his opening statement. This is

something this Committee should be concerned about. The government doesn't have any role in suppressing speech, and that is something the media should be very concerned about. What if there is a conservative president that somehow cleans out our FBI and they put in conservatives to suppress liberal speech? That is something that should never happen. So, I look forward to more questions, and at this time, I yield to the gentleman from Ohio.

Mr. JORDAN. I thank the Chair for yielding. Mr. Baker, you said you didn't talk with the FBI that day. Did you talk to the FBI about the Hunter Biden laptop story prior to then or after that day?

Mr. BAKER. I am trying to make sure I can answer this question consistent with the restrictions that I talked about in my opening question.

Mr. JORDAN. Simple question. Did you talk to the FBI about the Hunter Biden story?

Mr. BAKER. To the best of my recollection, I did not talk to the FBI about the Hunter Biden story before that day.

Mr. JORDAN. Did you talk to them after?

Mr. BAKER. I don't recall.

Mr. JORDAN. Your response is real specific to the chairman. You said, I did not talk to the FBI about the Hunter Biden laptop story that day. I assume that day is October 14. I don't know if you talked to them on the 13th or before or if you talked to them on the 15th and after.

Mr. BAKER. Sitting here today, I don't recall speaking to the FBI at all about the Hunter Biden matter.

Mr. JORDAN. But why did you answer the way you did?

Mr. BAKER. I beg your pardon?

Mr. JORDAN. I yield back.

Chairman COMER. The Chair recognizes Ms. Norton for five minutes.

Ms. NORTON. Thank you, Mr. Chairman. Like Benghazi before, Republicans are on a taxpayer-funded expedition to attack their political rivals, and they are feeding the flames of conspiracy in the process. With the release of this so-called Twitter Files, Donald Trump has seized the moment to further his own conspiracies about the 2020 election, writing in December, "Do you throw the Presidential election results of 2020 out and declare the rightful winner or do you have a new election? A massive fraud of this type and magnitude allows for the termination of all rules, regulations, and articles, and even those found in the Constitution."

Now it bears repeating that this is the same man who incited an insurrection on January 6, and just last week, reposted a message on Truth Social that suggested his supporters will, and I am quoting it now, "Physically fight for him this time," and added, "They got my six and we are loaded, and I mean, loaded."

This is a question for Ms. Navaroli. What did the phrase "locked and loaded" mean to you while you were at Twitter prior to January 6?

Ms. NAVAROLI. Yes, thank you for that question. The way that I read "locked and loaded," to be interpreted by the tweets that I saw coming on Twitter prior to January 6, was that individuals

were loaded or were armed, excuse me, and that they were ready to commit violence.

Ms. NORTON. Are you concerned that the use of this language will continue to incite and legitimize political violence leading to the next election?

Ms. NAVAROLI. Absolutely. We are sitting exactly one month in which the exact same playbook was played in Brazil, and we saw almost déjà vu happening again. As I said in my opening statement, unless we do something, this will continue to happen again.

Ms. NORTON. Thank you, Ms. Navaroli. Mr. Roth, you are no stranger to the conspiracies and their real-world consequences. If you don't mind, can you please describe for the Committee how the release of the so-called Twitter Files has affected your personal safety?

Mr. ROTH. Thank you for the question, Congresswoman. The Twitter Files, I would note first and foremost, didn't just affect me, but affected much more junior employees at Twitter. Employees as far away as Manila in the Philippines were doxed, had their families threatened, and experienced harm equal to or greater than what I have experienced. But concurrent with the Twitter Files, Elon Musk also made the decision to share a defamatory allegation that I support or condone pedophilia. And this lie led directly to a wave of homophobic and antisemitic threats and harassment against me, of which Twitter has removed vanishingly little. And following the Daily Mail's decision to publish where I live, ultimately, I had to leave my home and sell it. Those are the consequences for this type of online harassment and speech.

Ms. NORTON. I must say those are very real consequences. By legitimizing unsubstantiated conspiracy theories about the deep state, Big Tech, and government censorship for political gain, Committee Republicans are holding a match to a powder keg. We all saw the consequences of this kind of rhetoric on January 6, and we continue to see it play out as political violence and hate crimes grip communities around the country, and I yield back, Mr. Chairman.

Chairman COMER. The gentlelady yields back. The Chair recognizes Ms. Mace, for five minutes.

Ms. MACE. Thank you, Mr. Chairman. The Twitter Files were not just about Hunter Biden's laptop. The Twitter Files make it apparent Twitter worked overtime to suppress accurate COVID information.

Dr. Jay Bhattacharya is a professor of medicine at Stanford, who once tweeted an article he wrote about natural immunity. Thanks to Elon Musk's release of the Twitter Files, we learned some of his tweets were tagged with the label of "Trends Blacklist." Apparently, the views of a Stanford doctor are disinformation to you people. I, along with many Americans, have long-term effects from COVID. Not only was I a long hauler, but I have effects from the vaccine. It wasn't the first shot, but it was the second shot that I now developed asthma that has never gone away since I had the second shot. I have tremors in my left hand, and I have the occasional heart pain that no doctor can explain, and I have had a battery of tests.

I find it extremely alarming Twitter's unfettered censorship spread into medical fields and affected millions of Americans by

suppressing expert opinions from doctors and censoring those who disagree with the CDC. I have great regrets about getting the shot because of the health issues that I now have that I don't think are ever going to go away, and I know that I am not the only American who has those kinds of concerns.

Another example of what Twitter has done to censor folks is from Dr. Martin Kulldorff, a Harvard-educated epidemiologist, who once tweeted, "COVID vaccines are important for high-risk people and their caretakers. Those with prior natural infection do not need it, nor children." The Twitter Files reveal this tweet was deemed false information because it ran contrary to the CDC.

So, my first question this morning of Ms. Gadde, may I ask of you, where did you go to medical school?

Ms. GADDE. I did not go to medical school.

Ms. MACE. I am sorry?

Ms. GADDE. I did not go to medical school.

Ms. MACE. That is what I thought. Why do you think you or anyone else at Twitter had the medical expertise to censor a doctor's expert opinion?

Ms. GADDE. Our policies regarding COVID were designed to protect individuals. We were seeing—

Ms. MACE. You guys censored Harvard-educated doctors, Stanford-educated doctors, doctors that are educated in the best places in the world and you silenced those voices. Excuse me. I have another chart I want to show you, Ms. Gadde.

[Chart]

Ms. MACE. I have another tweet by someone with a following of a full 18,000 followers. This person put a chart from the CDC on Twitter. It is the CDC's own data, so it is accurate by your standards, and you all labeled this as misleading. You are not a doctor, right, Ms. Gadde?

Ms. GADDE. No, I am not.

Ms. MACE. OK. What makes you think you or anyone else at Twitter have the medical expertise to censor actual accurate CDC data?

Ms. GADDE. I am not familiar with these particular situations.

Ms. MACE. Yes, I am sure you are not, but this is what Twitter did. They labeled this as inaccurate. It is the government's own data. It is ridiculous that we are even having to have this conversation today. It is not just about the laptop. This is about medical advice that expert doctors were trying to give Americans because social media companies like Twitter were silencing their voices. I have another question, my last one for you, Ms. Gadde. Did the U.S. Government ever contact you or anyone at Twitter to pressure Twitter to moderate or censor certain tweets? "Yes" or "no."

Ms. GADDE. We have a program—

Ms. MACE. Did the U.S. Government ever contact you or anyone at Twitter to censor or moderate certain tweets? "Yes" or "no."

Ms. GADDE. We received legal demands to remove content from the platform from the U.S. Government and governments all around the world. Those are published on a third party website, and anyone can read from it.

Ms. MACE. Thank God for Matt Taibbi, thank God for Elon Musk for allowing to show us in the world that Twitter was basically a



subsidiary of the FBI, censoring real medical voices with real expertise that put real Americans lives in danger because they didn't have that information. I also want to thank one of my colleagues, Ro Khanna, because as it turns out, censorship isn't just an important issue to conservatives. Some of my colleagues on the other side of the aisle, like Ro, found this censorship very concerning and even wrote to you and to folks at Twitter that he was concerned about the First Amendment being censored. So, I want to thank him for speaking up and speaking out about this issue because this should not be a partisan issue. This should be an issue that is an American issue.

Mr. Chairman, I ask unanimous consent to enter into the record a *Wall Street Journal* article from December 9, 2022, by Justin Hart entitled: "The Twitter Blacklisting of Jay Bhattacharya" into the record, please, Mr. Chairman.

Chairman COMER. Without objection, so ordered.

Ms. MACE. Thank you, and I yield back.

Chairman COMER. The Chair recognizes Mr. Lynch for five minutes.

Mr. LYNCH. Thank you, Mr. Chairman. I just want to go over the chronology here. Mr. Roth, back in 2016, Russia and Vladimir Putin engaged in what bipartisan Senate Intelligence Committee investigators called a, "aggressive, multifaceted effort to influence the outcome of that year's Presidential election." The campaign included hacking of the systems of a major political party and leaking illegally obtained information, scanning U.S. election systems for vulnerabilities, and exploiting the weaknesses of social media platforms to spread disinformation to the American people. Again, in a 2017 declassified report, the U.S. intelligence community assessed that Russia's 2016 election operations signaled a "new normal" in Russian influence efforts and that the Kremlin would "apply lessons learned going forward against the U.S. and its allies."

Mr. Roth, in a December interview with journalist Kara Swisher, you state that this declassified assessment was, and I am quoting you, "a watershed moment in the history of content moderation and the Internet." You also stated in that interview that Twitter discussed potential threats to the integrity of the 2020 elections, and it was, and I am quoting you again, "obvious to think about the most influential thing that impacted the 2016 election, which was the hack-and-leak campaign organized by the Russian Government. We would have been stupid not to think about that risk." Mr. Roth, why would Twitter have been stupid to ignore that risk?

Mr. ROTH. Thank you for the question, Congressman. I think Twitter and the entire social media industry were, frankly, caught with their pants down in 2016 and missed an opportunity to do the critical work of protecting election security. This isn't my judgment. This is the judgment of academics and researchers who have spent years studying Russian active measures, and most of their conclusions suggests that the No. 1 most influential part of the Russian active measures campaign in 2016 was the hack-and-leak targeting John Podesta. It would have been foolish not to consider the possibility that they would run that play again.

Mr. LYNCH. Right. And so, let me ask, was that top of mind for Twitter? You are trying to measure the credibility of incoming intelligence. Was that top of mind in regard to the company's decision to temporarily limit the distribution of the October 14 *New York Post* story that was delivered by Mayor Giuliani?

Mr. ROTH. Yes, that was one of the animating concerns for us. For nearly two years, we had engaged in scenario planning exercises for potential risks tied to the elections, and one of them appeared to be happening that day. Now, again, I think the facts were complicated. I do believe Twitter made a mistake then, but our judgment was colored by the experience of 2016 and by the very real Russian activities that we saw play out that year.

Mr. LYNCH. Mr. Roth, then in the December 2020 sworn declaration to the FEC, you said that starting in 2018, you had, "regular meetings with the Office of the Director of National Intelligence, the Department of Homeland Security, the FBI, and industry peers regarding election security." Is that correct?

Mr. ROTH. Yes, sir, it is.

Mr. LYNCH. OK. You stated that during these meetings, "Federal law enforcement agencies communicated that they expected hack-and-leak operations by state actors that might occur in the period shortly before the 2020 Presidential election, likely in October," and that there were "rumors that a hack-and-leak operation would involve Hunter Biden." Is that your recollection today?

Mr. ROTH. It is, but I want to clarify that sentence slightly.

Mr. LYNCH. Sure.

Mr. ROTH. I think it actually should have been two separate sentences. It is true that in meetings between industry and law enforcement, law enforcement discussed the possibility of a hack-and-leak campaign in the lead-up to the election, and in one of those meetings, it was discussed, I believe by another company, that there was a possibility that that hack-and-leak could relate to Hunter Biden and Burisma. I don't believe that perspective was shared by law enforcement. They didn't endorse it. They didn't provide that information in that yet.

Mr. LYNCH. OK. Just to fast forward here, and, in fact, in March 2021, four months after the election, the U.S. intelligence community assessed that Russian President Putin authorized a range of government organizations, conducted influence operations aimed at denigrating President Biden's candidacy in the Democratic Party, supporting former President Trump, and undermining public confidence in the electoral process, and exacerbating sociopolitical divisions in the U.S. that obviously reared their head on January 6. Mr. Chairman, my time has expired, and I yield back.

Chairman COMER. The gentleman yields back. The Chair recognizes Mr. Jordan for five minutes.

Mr. JORDAN. Thank you, Mr. Chairman. Mr. Roth, did the government tell you that the Biden laptop story was fake?

Mr. ROTH. No, sir, they did not.

Mr. JORDAN. Did they tell you it was hacked?

Mr. ROTH. No, sir, they did not.

Mr. JORDAN. On October 14, 2020, Twitter blocks the *New York Post* story on Hunter Biden and suspends their account. The night before FBI Special Agent Elvis Chan sends you an email. The

email says this: “Heads up. I will be sending a Teleporter link for you to download 10 documents. It is not spam. Please confirm receipt when you get it.” Two minutes later, 6:24 p.m. you respond back, “Received and downloaded. Thanks.” What were those 10 documents?

Mr. ROTH. Twitter didn’t give me access to my laptop, but Special Agent Chan has said publicly, and the FBI has confirmed, that those documents did not relate to Hunter Biden, and that is my recollection of that. That is all.

Mr. JORDAN. What did they relate to?

Mr. ROTH. My interactions with Agent Chan and with the FBI almost entirely focused on what the FBI called malign foreign interference, things like Russian troll farms and Iranian involvement in the elections, not on any type of domestic activity.

Mr. JORDAN. Any of the information on there classified?

Mr. ROTH. No, sir, I do not hold a security clearance, and so I would not have received any classified information.

Mr. JORDAN. Who does hold a security clearance? I just got a second email here. I am just curious about this. “What I propose is that 30 days out from the election”—this is another email to you from Mr. Chan—“that we get temporary clearances. You pick who they are.” Who were the people at Twitter who had a security clearance?

Mr. ROTH. To be honest, sir, I am not sure, and we never ultimately followed through on this plan to get temporary clearances.

Mr. JORDAN. Did anyone at Twitter have a security clearance?

Mr. ROTH. It is my understanding that at least some current or former employees did hold clearances, but I wasn’t certain about that.

Mr. JORDAN. Ms. Gadde, do you know if anyone took up Mr. Chan’s offer to hand out security clearances 30 days before the 2020 election?

Ms. GADDE. Not that I am aware.

Mr. JORDAN. So, we don’t know how many people had security clearances at Twitter. Do we know? Mr. Baker, Ms. Gadde, anyone know how many people at Twitter had a security clearance in 30 days prior to the election?

Mr. BAKER. I don’t know the answer to that question, sir.

Mr. JORDAN. Ms. Gadde?

Ms. GADDE. I do not know.

Mr. JORDAN. Mr. Roth, you don’t know?

Mr. ROTH. No, sir.

Mr. JORDAN. How about the last one? Ms. Navaroli, do you know?

Ms. NAVAROLI. No.

Mr. JORDAN. I mean, it seemed like the offer was sort of to just hand them out like candy. I was just wondering who had them?

[No response.]

Mr. JORDAN. No one knows. OK. So, the FBI didn’t tell you that it was fake. They didn’t tell you that it was hacked. And Mr. Roth, did the story violate your policies?

Mr. ROTH. In my judgment at the time, no, it did not.

Mr. JORDAN. Yes, that is what you said. You said, “It isn’t clearly a violation of our hack materials policy, nor is it clearly a violation

of anything else.” So, I think what a lot of people are wondering is, if it didn’t violate your policies and they didn’t tell you it was fake, they didn’t tell you it was hacked, why did you take it down?

Mr. ROTH. The company made a decision that found that it did violate the policy. It wasn’t my personal judgment at the time that it did, but the decision was communicated to me by my direct supervisor, and, ultimately, I didn’t disagree with it enough to object to the action.

Mr. JORDAN. You know what I think happened, Mr. Roth? I think you guys got played. I think you guys wanted to take the tweet down. We saw that the Chairman put up where you said, you know, everyone in the White House is a fascist. I think you guys wanted to be taken down. I think you meet with these guys every week. We know that has been established in the Twitter Files. You had weekly meetings with Mr. Chan in the run-up to the election. They sent you all kinds of emails. They sent you documents on the super-secret James Bond teleporter. You get information on that. I think you guys wanted to take it down. I think you guys got played by the FBI, and that is the scary part.

I mean, this, to me, is the real takeaway. Fifty-one former intelligence officials five days after you guys take down the Hunter Biden story and blocked the *New York Post* account. Five days later, 51 former intel officials sent a letter and they say the Hunter Biden story has all the classic earmarks of a Russian information operation. The information operation was run on you guys and then, by extension, run on the American people, and that is the concern. And to Mr. Raskin’s point that you guys aren’t bound by the First Amendment because you are a private company, OK, maybe so, and your terms of service don’t have to comply with the First Amendment. Would that be right, Mr. Roth? They don’t have to. You have said that as much in your testimony.

Mr. ROTH. My understanding of the First Amendment is that it protects people and businesses from government, not informs how—

Mr. JORDAN. I understand. So, here is what I want to know. Is this a violation of the First Amendment when the government, Mr. Chan again, sending you an email saying we think these accounts need to be looked at because they violate your terms of service? That is a different standard. So, you got the government saying your terms of service, which don’t have to comply with the First Amendment, but the government is saying we don’t think these accounts comply with your terms of service, please take them down. You see a problem there, Mr. Roth?

Mr. ROTH. Mr. Chairman, I am seeing a flashing red light. I am happy to answer the question. Do I think that that is a valuable use of the FBI’s time? No, but I don’t see in a request for review a problem under the First Amendment. No.

Mr. JORDAN. I sure do. I thank the gentleman. I yield back.

Chairman COMER. The Chair recognizes Mr. Connolly for five minutes.

Mr. CONNOLLY. Thank you, Mr. Chairman. My, my, my, what happens when you hold a hearing and you can’t prove your point. We heard from the Chairman in his opening statement that it is

wrong for government to call Twitter and say take down a tweet. Did I hear that correct, Mr. Roth?

Mr. ROTH. That was my understanding, yes.

Mr. CONNOLLY. Yes. So, on May 27, 2020, President Donald J. Trump tweeted, “Republicans feel that social media platforms totally silence conservatives,” by the way, something that would come as news to you apparently, Mr. Roth, because you are still the subject of conservative harassment. “We will strongly regulate,” he went on to say, “or close them down, before we ever allow this to happen.” Ms. Navaroli, doesn’t that sound eerily like a government official telling Twitter that there is a threat, we will shut you down if we don’t like the content?

Ms. NAVAROLI. I am not familiar with the tweet that you have referenced.

Mr. CONNOLLY. Well, but if I just told you that quote without telling you who said it, might it have some ominous overtones from your point of view if you are still at Twitter? “We will shut you down. We will regulate you. We will never allow this to happen.” Those are pretty strong words.

Ms. NAVAROLI. They are.

Mr. CONNOLLY. Yes. OK. On September 8, 2019, at 11:11 p.m., Donald Trump heckled two celebrities on Twitter, John Legend and his wife Chrissy Teigen, and referred to them as “the musician John Legend and his filthy-mouthed wife.” Ms. Teigen responded to that email at 12:17 a.m., and according to notes from a conversation with you, Ms. Navaroli, your counsel, the White House almost immediately thereafter contacted Twitter to demand that tweet be taken down. Is that accurate?

Ms. NAVAROLI. Thank you for the question. In my role, I was not responsible for receiving any sort of request from the government. However, what I was privy to was my supervisors letting us know that we had received something along those lines or something of a request. And in that particular instance, I do remember hearing that we had received a request from the White House to make sure that we evaluated this tweet, and that they wanted it to come down because it was a derogatory statement directly toward the President.

Mr. CONNOLLY. They wanted it to come down. They made that request?

Ms. NAVAROLI. To my recollection, yes.

Mr. CONNOLLY. I thought that was an inappropriate action by a government official, let alone the White House, but it wasn’t Joe Biden about his son’s laptop. It was Donald Trump because he didn’t like what Chrissy Teigen had to say about him. Is that correct?

Ms. NAVAROLI. Yes, that is correct.

Mr. CONNOLLY. My, my, my. Did you ever think it is appropriate for the President of the United States to direct or otherwise influence a social media company to take down its content?

Ms. NAVAROLI. I think it is a very slippery slope.

Mr. CONNOLLY. Mr. Roth, Ms. Gadde, Mr. Baker, any evidence that Joe Biden has ever done that?

Mr. ROTH. Certainly none that I am aware of, no.

Ms. GADDE. I don’t recall anything like that.

Mr. BAKER. I am sorry. That President Biden did what, sir?

Mr. CONNOLLY. Has Joe Biden ever called Twitter to your knowledge or his White House at his behest to take down content or urge you to take down content?

Mr. BAKER. I don't know the answer to that question, sir.

Mr. CONNOLLY. Well, I am going to have to conclude, at least from three of the four, you don't know. There is no evidence he has ever done that, but there is plenty of evidence Donald J. Trump tried to do that. And if we are going to have a hearing about the misuse of social media and the intrusion of government in the content on social media, we have got an environment rich target. But it is not Joe Biden, it is Donald J. Trump, and of course we don't want to talk about that. We don't want to talk about Russian bots and Russian fabrications using fake accounts on Twitter to a political purpose, and it is not to help elect Democrats. And we don't want to talk about four years of Donald Trump manipulating the truth and trying to manipulate social media and threaten it, or directly to try to shape it by taking down content because it was critical of him personally. And that is what we ought to be talking about as we move forward, not the subject of today's hearing. I yield back.

Chairman COMER. The gentleman yields back. The Chair recognizes Mr. Donalds for five minutes.

Mr. DONALDS. Thank you, Mr. Chairman. Real quick, Mr. Roth. You have stated already that what happened with the *New York Post* story was similar to the hack-and-leak scenarios from 2016. You also said that you actually were opposed to deleting the *New York Post* story. Who advocated for the removal of the *New York Post* story.

Mr. ROTH. The company's decision to treat it as a violation—

Mr. DONALDS. Mr. Roth, who at the company actually went over your recommendation, because you are pretty high up. Who overrode you?

Mr. ROTH. The decision was communicated to me by my direct supervisor.

Mr. DONALDS. Who is that person?

Mr. ROTH. Her name was Del Harvey. She was the vice president of Trust and Safety at the time.

Mr. DONALDS. All right. Thank you so much. Ms. Gadde, real quick. You said to the Chairman earlier, and I am going to paraphrase what I heard earlier, is that Twitter had no contact with anybody from the Biden team. Is that correct, to your knowledge?

Ms. GADDE. Not to my knowledge.

Mr. DONALDS. Put that up for me.

[Chart]

Mr. DONALDS. OK. Over my right shoulder, we have an email. This is Saturday, October 24, 5:39 p.m., referencing five different tweets, with a Twitter email chain, under the line, "It is more to review from the Biden team." Does anybody have a comment on how much interaction was happening with the Biden team at Twitter with respect to tweets that they wanted Twitter to review? Ms. Gadde, Mr. Roth?

Ms. GADDE. I am not familiar with this email.

Mr. DONALDS. So, you are not familiar with this email. Mr. Roth, are you familiar with this email?

Mr. ROTH. Only from what has been reported in the Twitter Files.

Mr. DONALDS. Did you ever have contact with anybody from the Biden team?

Mr. ROTH. No, sir, I did not. We explicitly separated the teams that would interact with campaigns from teams like mine that were responsible for content moderation.

Mr. DONALDS. How big was the organization in Twitter that was actually working with campaigns?

Mr. ROTH. I couldn't say for sure.

Mr. DONALDS. Did you have any contact with the DNC?

Mr. ROTH. Directly? No, I did not.

Mr. DONALDS. Did anybody at Twitter have any contact with anybody at the DNC?

Mr. ROTH. I think it is likely that somebody at Twitter did, yes.

Mr. DONALDS. And these emails listed, "These are tweets that need to be flagged from the Biden team." That is what is in the files. You have no idea how many people actually engaged with the Twitter team or how frequently that engagement happened?

Mr. ROTH. No, and, again, that was by design. We kept those functions separate from content moderation so that we could impartially assess reports like this.

Mr. DONALDS. Do you know how many tweets were actually flagged and taken down at the behest of the Biden team?

Mr. ROTH. I wouldn't agree with the characterization of it as being at the behest of them. These tweets were reported, and Twitter independently evaluated them under its rules.

Mr. DONALDS. But the email is very clear: "More to review from Biden team." The response three hours later at the bottom, hold this up real quick, so we can see. The requests at the bottom it says, "Handled these." What does "handled these" mean?

Mr. ROTH. My understanding is that these tweets contained non-consensual nude photos of Hunter Biden, and they were removed by the company under—

Mr. DONALDS. Hold on, real quick, Mr. Roth. How could you know so much about the content of these tweets? I mean, as far as I am concerned, these are just web addresses. I don't know what is in these tweets. You have these things committed to memory that you know the content, but you don't know who you talked to at the Biden team?

Mr. ROTH. Sir, I didn't meet with the Biden team, but there was extensive public reporting about these tweets specifically that uncovered what they were.

Mr. DONALDS. You know the contents of the tweets. It was obviously at Twitter, but you have no idea how often people who worked in your organization had with the Biden team during the end of the 2020 Presidential elections.

Mr. ROTH. I would emphasize that the people who interfaced with the campaigns were not part of my team or organization. I would know what the interactions were if they were on my team. It was a different part of the organization, not mine.

Mr. DONALDS. Let me ask a separate question, and I will ask it of you too, Mr. Baker. Have you guys been able to quantify the amount of in-kind contributions associated with taking down the *New York Post* story because *New York Post* story was down for two weeks, give or take. Do you have any understanding of how much that story was limited by Twitter and also by other social media companies? What the impact of an in-kind contribution that would be to the Joe Biden Presidential election in 2020?

Mr. BAKER. I don't know the answer to that question, sir.

Mr. DONALDS. Do you think it is big?

Mr. BAKER. I don't know the answer.

Mr. DONALDS. Do you think it is more than a maximum contribution to a campaign?

Mr. BAKER. I wouldn't want to speculate.

Mr. DONALDS. Would you call it \$25,000?

Mr. BAKER. I don't know the answer to that question, sir.

Mr. DONALDS. A \$100,000?

Mr. BAKER. Sir, I don't know the answer to the question.

Mr. DONALDS. A million?

Mr. BAKER. I don't know the answer to the question.

Mr. DONALDS. Do you think Twitter will be in violation of Federal election laws with the size of an in-kind contribution to take down a story which is true, by the way, because you guys thought you knew something with limited information?

Mr. BAKER. I am not going to speculate on that sitting here today, sir. I try not to propound a legal analysis of the election laws.

Mr. DONALDS. I yield back.

Chairman COMER. The gentleman yields back. The Chair recognizes Ms. Ocasio-Cortez.

Ms. OCASIO-CORTEZ. Thank you. I appreciate also your generosity. I just want to start off right here at the top here. This isn't even my line of questioning, but I would like to submit to the record a *Washington Post* article "Now warning about Hunter Biden laptop disinformation: The guy who leaked it."

Here is the deal. Before I even get into my questions, I think that the story here, with *The Washington Post* reporting, is that they are saying right here when *New York Post* first reported October 2020 that it had obtained contents of a laptop computer allegedly owned by Joe Biden's son, Hunter. There was an immediate roadblock faced by other news outlets that hoped to corroborate reporting, as many did. The newspaper wasn't sharing what it obtained.

*New York Post* had this alleged information and was trying to publish it without any corroboration, without any backup information. They were trying to publish it to Twitter. Twitter did not let them, and now they were upset. I believe that political operatives who sought to inject explosive disinformation with *The Washington Post* couldn't get away with it, and now they are livid, and they want the ability to do that again. They want the ability to inject this again. So, they have dragged a social media platform here in Congress. They are weaponizing the use of this Committee so that they can do it again. A whole hearing about a 24-hour hiccup in a right-wing political operation. That is why we are here right now,



and it is just an abuse of public resources and abuse of public time. We could be talking about healthcare, we could be talking about bringing down the cost of prescription drugs, we could be talking about abortion rights, civil rights, voting rights, but instead we are talking about Hunter Biden's half-fake laptop story. I mean, this is an embarrassment, but I will go into it.

Ms. Navaroli, let's talk about something real. I would like to show you a tweet posted by former President Trump about my colleagues and I on July 14, 2019.

[Chart]

Ms. OCASIO-CORTEZ. It says in part, "Why don't they go back and help fix the totally broken and crime infested places from which they came then come back and show us how it is done? These places need your help badly. You can't leave fast enough. I am sure that Nancy Pelosi would be very happy as quickly to work out free travel arrangements." A day or two after that, Donald Trump publicly incited, you know, violence at a rally, targeting four Congresswomen, including myself, saying go back to where you came from. And, Ms. Navaroli, as I understand it, you were the senior member of Twitter's content moderation team when this was posted. As part of your responsibilities, did you review this tweet?

Ms. NAVAROLI. Yes, it was my team's responsibility to review these tweets.

Ms. OCASIO-CORTEZ. And what did you conclude?

Ms. NAVAROLI. My team made the recommendation that for the first time, we find Donald Trump in violation of Twitter's policies and used the public interest interstitial.

Ms. OCASIO-CORTEZ. For the first time?

Ms. NAVAROLI. Yes.

Ms. OCASIO-CORTEZ. And at the time, Twitter's policy included a specific example when it came to banned abuse against immigrants as they specifically included the phrase, "Go back to your country" or "Go back to where you came from," correct?

Ms. NAVAROLI. Yes, that was specifically included in the content moderation guidance as an example.

Ms. OCASIO-CORTEZ. And you brought this up to the vice president of Trust and Safety, Del Harvey, correct?

Ms. NAVAROLI. I did, yes.

Ms. OCASIO-CORTEZ. And she overrode your assessment, didn't she?

Ms. NAVAROLI. Yes, she did.

Ms. OCASIO-CORTEZ. And something interesting happened after she overrode your assessment. A day or two later Twitter seem to have changed their policies, didn't they?

Ms. NAVAROLI. Yes. That "Go back to where you came from" was removed from the content moderation guidance as an example.

Ms. OCASIO-CORTEZ. So, Twitter changed their own policy after the President violated it in order to potentially accommodate his tweet?

Ms. NAVAROLI. Yes.

Ms. OCASIO-CORTEZ. Thank you. So much for bias against right-wing on Twitter. Additionally, Ms. Navaroli are you familiar with the account, Libs of TikTok?

Ms. NAVAROLI. I have heard of it from the news, yes.

Ms. OCASIO-CORTEZ. Mr. Roth, are you familiar with this account?

Mr. ROTH. Yes, ma'am, I am.

Ms. OCASIO-CORTEZ. Are you aware that from August 11 to August 16, that account posted false information about Boston Children's Hospital, claiming that they were providing hysterectomies to children?

Mr. ROTH. Yes, I am aware of that and other claims from the account.

Ms. OCASIO-CORTEZ. And are you aware that this lie was then circulated by other prominent far-right influencers?

Mr. ROTH. Yes.

Ms. OCASIO-CORTEZ. And are you aware that all these claims, which I have reiterated were false, culminated in a real-life harassment and, ultimately, a bomb threat to the Boston Children's Hospital?

Mr. ROTH. Yes, I am aware.

Ms. OCASIO-CORTEZ. And this account is still on that platform today, isn't it?

Mr. ROTH. Regrettably, yes, it is.

Ms. OCASIO-CORTEZ. Despite inspiring a bomb threat due to the right-wing incitement of violence against trans Americans in this country because they cannot let go of this obsession with fixating violence and inciting violence against trans and LGBT people, in addition to immigrants, in addition to women of color. This is a party that cannot pick on any one their own size, and they are trying to co-opt an entire social media platform and use the power of this Committee and of Congress in order to pursue a political agenda. I yield back.

Chairman COMER. The lady yields back. The Chair recognizes Mr. Fry for five minutes.

Mr. FRY. Thank you, Mr. Chairman. This hearing shows who really has been in control of what is said to be the one of the world's most widely used websites, Twitter. The American people probably didn't know who these witnesses were today, but these witnesses were powerful enough to silence an American President with just a few clicks from their California office. We are also learning that some of those in Washington, DC. have forgotten their role and exercise their power to achieve ends antithetical to American principles of free speech and expression.

The FBI is the lead Federal Agency responsible for investigating foreign influence operations. However, in recent years, the FBI has devoted countless amounts of time, taxpayer money, and manpower to combatting Russian foreign influence on social media. The FBI, as one reporter noted, acted as a "doorman to the vast program of social media surveillance and censorship, encompassing agencies across the Federal Government, from the State Department, to the Pentagon, to the CIA." Reports suggests that thousands of reports from the FBI and the Foreign Influence Task Force were sent to Twitter. This isn't what the American people are paying for. This isn't what we trust the FBI to do. FBI agents shouldn't be sitting at a desk in Washington, DC. scrolling through Twitter and emailing with social media companies.

An email from one Twitter employee to another reads, “The FBI San Francisco Emergency Operations Center sent us the attached report of 207 tweets they believed may be in violation of our policies.” Another email revealed that there are, “some folks in the Baltimore field office and at headquarters that are just doing keyboard searches for violations.” Mr. Roth, Twitter usually found little evidence that the accounts the FBI flagged had ties to foreign influence. Is that correct?

Mr. ROTH. In part, but we have received many reports from the FBI, particularly related to malign foreign interference, that were highly credible and were constructive. So, I would say it was a bit of a mixed bag.

Mr. FRY. And you pushed back to the FBI when they would send you a list of American-based accounts. Is that correct?

Mr. ROTH. Politely, but yes.

Mr. FRY. Mr. Roth, it appears that Twitter employees were under pressure by the FBI and other government agencies to validate these theories of foreign influence. Would you agree with that?

Mr. ROTH. No, I wouldn’t agree with the word, “pressure.” The FBI was quite careful and quite consistent to request review of the accounts, but not to cross the line into advocating for Twitter to take any particular action.

Mr. FRY. So, flagging American accounts, in your view, is not foreign—or theories of foreign influence. There is not pressure there, just by flagging it to you, domestic accounts?

Mr. ROTH. I don’t think it is a great use of the Bureau’s time, but I wouldn’t characterize how they communicated with us as pressure.

Mr. FRY. Mr. Roth, you enjoyed these meetings with the FBI, it seems based on the tweets behind me, or the communications behind me, and internal communications at Twitter. You said, “Definitely not meeting with the FBI. I swear.” Is that correct?

Mr. ROTH. I believe I was joking with a colleague at the time, but yes.

Mr. FRY. But I can assume that you were meeting with the FBI when you were communicating with your colleague. Is that correct?

Mr. ROTH. Yes. One of my job responsibilities was meeting with law enforcement about election security.

Mr. FRY. And just so I am clear, the person you are communicating with here says, “Very boring business meeting that is definitely not about Trump.” I assume that is also sarcasm?

Mr. ROTH. Yes, that is my assumption.

Mr. FRY. And we can assume that Twitter was having these meetings with the FBI about President Trump, correct?

Mr. ROTH. No, sir. The meetings that I was a part of with the FBI were almost entirely and exclusively focused on malign foreign interference, so accounts being operated outside of the United States by other governments, not on the accounts of Americans.

Mr. FRY. So, what is the basis of this communication then where you talk about not meeting with Trump or not meeting about Trump?

Mr. ROTH. Again, I think those comments are sarcasm, but the context for this interaction was the need to mark my calendar private after another Twitter employee joined one of those meetings

with the FBI unexpectedly. And so, I had to implement additional security measures around my calendar. This was a fairly banal interaction with a colleague.

Mr. FRY. Mr. Chairman, I yield the rest of my time to Mr. Jordan.

Chairman COMER. The Chair recognizes Mr. Jordan.

Mr. JORDAN. I thank the gentleman for yielding. Mr. Roth, was there ever any visibility filtering that was hard coded by Twitter employees into accounts of specific users?

Mr. ROTH. Twitter employees were responsible for building the systems that performed visibility filtering, and then that filtering would have been applied either automatically—

Mr. JORDAN. And I am asking a very specific question. I am asking was the code written in a way that for certain accounts, those accounts unique in and of themselves, would be visibility filtering, to use your term, so that they wouldn't have as much reach or as much influence?

Mr. ROTH. The term "hard coding" suggests that it was permanent and immutable, and I wouldn't agree with that, no.

Mr. JORDAN. But it did happen is what you are saying. There was hard coded into some of these accounts of specific users, by Twitter employees, this ability to filter and limit the reach of that particular post or that particular tweet, I should say.

Mr. ROTH. Again, I wouldn't say that they were hard coded.

Mr. JORDAN. Thank you.

Chairman COMER. The Chair recognizes Ms. Brown for five minutes.

Ms. BROWN. Thank you, Chairman Comer and Ranking Member Raskin, for holding this hearing today. Social media has been a revolutionary gift of the 21st century, from helping people across the world build meaningful connections to learning a new skill set. These platforms have played a significant role in creating an interconnected global world. When handled responsibly, social media serves as a useful resource with many positive outcomes. However, social media is not without its flaws, and the challenges are much larger than any specific incident or decision by one private company.

Recently, social media has contributed to the rise in amplification of domestic extremist content and organizing. This is extremely concerning and, unfortunately, is contributing to the division of our society. According to an Anti-Defamation League survey, 66 percent of the LGBTQ-plus respondents—that is a full two-thirds—experienced harassment online. Thirty-seven percent of Jewish respondents and 34 percent of African Americans respondents said the same. This is truly disturbing.

The power that social media has to inspire real world action, both good and bad, is well-known to all of us, and sadly, the hate online does not stay online. Social media has the power to influence not just here at home, but those who are watching us abroad. For example, an online disinformation campaign by a hostile foreign power can have the power to sway a close election.

So, Mr. Roth, in a recent interview, you stated, "Beginning in 2017, every platform, Twitter included, started to invest really heavily in building out an election integrity function." So, I ask,

were those investments driven in part by bipartisan concerns raised by Congress and the U.S. Government after the Russian influence operation in the 2016 Presidential election?

Mr. ROTH. Thank you for the question. Yes, those concerns were fundamentally bipartisan. The Senate's investigation of Russian active measures was a bipartisan effort, the report was bipartisan, and I think we all share concerns with what Russia is doing to meddle in our elections.

Ms. BROWN. Thank you so much. Did those investments include a better information sharing mechanism with the Federal Government?

Mr. ROTH. Yes. I think one of the key failures that we identified after 2016 was that there was very little information coming from the government and from intelligence services to the private sector. The private sector had the power to remove bots and to take down foreign disinformation campaigns, but we didn't always know where to look without leads supplied by the intelligence community. That was one of the failures highlighted in the Senate Intelligence Committee's report and in the Mueller investigation, and that was one of the things we set out to fix in 2017.

Ms. BROWN. Thank you for that. And, Mr. Roth, were those communication channels useful to Twitter as they worked to combat foreign influence operations?

Mr. ROTH. Absolutely. I would say they were one of the most essential pieces of how Twitter prepared for future elections.

Ms. BROWN. Thank you so much. So clearly, we must come together as a committee to stand up and protect our country from foreign election interference and disinformation. I sincerely look forward to spending more time with this Committee working to understand how to fight back against our adversaries and strengthen our democracy. And with that, Mr. Chairman, I yield back.

Chairman COMER. Thank you very much. The Chair recognizes Ms. Greene for five minutes.

Ms. GREENE. Thank you, Mr. Chairman, Mr. Baker, Ms. Gadde, Mr. Roth, and Ms. Navaroli. You can consider your speech canceled during my time because you canceled mine. You see, you permanently banned my personal Twitter account, and it was my campaign account also. So, let's talk about election interference, shall we?

January 2, 2022, you permanently banned my Twitter account. This was the account that I would put my campaign ads on, raise money on, fight back when attacked with lies, and be able to talk to my voters in my district, but you banned it, and then let me explain—my account was not reinstated until November 21, 2022. That was after my election on November 8.

You know, at your company or your former company where you worked, Twitter employees, over 98 percent of them donate to Democrats. So, while you coordinated with DHS, the FBI, the CIA, our government, and outside groups to permanently shadow ban conservative Americans and candidates like me and the former President of the United States, President Donald J. Trump, you were censoring and wrongfully violating our First Amendment free speech rights. Guess what? None of you hold security clearances,

none of you are elected, and none of you represent 750,000 people, like I do.

Let's explain: 52 United States Law 10101, "No person shall intimidate, threaten, coerce, or attempt to stop any other person for the purpose of interfering with their rights to vote or to vote as he may choose." You didn't shadow ban or permanently ban my Democrat opponent. No, you did that to me, and that was wrong and it was against the law. You see, not only was it me that you violated my First Amendment rights. You violated countless conservative Americans' rights. These were doctors that were trying to tell the truth about COVID, doctors that were having success treating people with Ivermectin that you all would not allow to be talked about on your platform.

These were parents complaining about their school boards, teaching gender lies in their schools, biological males entering their daughter's bathrooms and sports. These were also people questioning the 2020 election. And guess what? That's Americans First Amendment Right. These were people talking about voting machines. You know what? Democrats did that in 2019 before the 2020 election. On Twitter, people could question elections such as 2016, saying Hillary won, but in 2020, no one could question elections saying Trump won.

You abuse the power of a large corporation, Big Tech, to censor Americans, and you want to know something? Guess what? I am so glad that you are censored down. I am so glad you have lost your jobs. Thank God Elon Musk bought Twitter. And you know what? Let's talk about something a little bit further. It is amazing to me, Mr. Roth, as the Head of Trust and Safety at Twitter, your ability, or should I say inability, to remove child porn. Now, here is something that disgusts me about you—in your doctoral dissertation entitled, "Gay Data", you argued that minors should have access to Grindr, an adult male gay hookup app. Minors? Really?

You know, Elon Musk took over Twitter and he banned 44,000 accounts that were promoting child porn. You permanently banned my Twitter account, but you allowed child porn all over Twitter. Twitter had become a platform, you said, connecting queer young adults. You also wrote on Twitter in 2010, "Can high school students ever meaningfully consent to sex with their teachers?" In 2021, while you were the director of Trust and Safety on Twitter, an underage boy and his mother announced a lawsuit against Twitter because Twitter was benefiting from and refused to remove a lewd video featuring this boy and another minor. That is repulsive. But you violated me. What were my tweets?

OK. Let's talk about them. I was talking about the deaths being reported on there. By the way, that is on the CDC website. I was also saying that I didn't think any entity should enforce a non-FDA approved vaccine or mask. Guess what? A lot of people agreed with me, but you called that COVID misinformation. By the way, I am a Member of Congress and you are not. I also said the controversial COVID-19 vaccines should not be forced on our military. You want to know something? Republicans stopped that in the NDAA.

Chairman COMER. The lady's time has expired.

Ms. GREENE. And your time is expired. I yield back. Thank you, Mr. Chairman.

Chairman COMER. The Chair recognizes Mr. Gomez.

Mr. GOMEZ. Thank you, Mr. Chairman. Mr. Roth, please explain to us why Ms. Marjorie Taylor Greene or the Representative from Georgia was removed from Twitter.

Mr. ROTH. Thank you for the question, Congressman. My recollection is that her personal account was banned from Twitter after repeated written notices due to repeated violations of the Twitter rules.

Mr. GOMEZ. Can you add a little specificity to the violation of the Twitter rules?

Mr. ROTH. Yes. Again, I didn't have access to my twitter email, documents, anything that would have let me prepare to answer that in more detail. But my recollection is that the Congresswoman repeatedly violated Twitter's policies about sharing misinformation about COVID-19. She received multiple written warnings about that conduct. She received multiple timeouts related to that conduct. And then ultimately, consistent with the written and published policy, those repeated violations resulted in her account being permanently suspended.

Ms. GREENE. Mr. Chairman—

Mr. GOMEZ. So, in essence—

Ms. GREENE [continuing]. I would like to take a point of personal privilege?

Mr. GOMEZ. It is still my time.

Chairman COMER. We will stop the clock—

Mr. GOMEZ. It's my time, Mr. Chairman.

Chairman COMER. Point of order. Now Mr. Raskin.

Mr. RASKIN. Yes. I don't believe that Members of this Committee have the right to interrupt someone's testimony, because their name was—

Ms. GREENE. Point of personal privilege. You were mentioning my name, Mr. Raskin.

Mr. RASKIN. You know, I understand, but that is not the rule, Ms. Green. I don't think a Member—

Ms. GREENE. That is the rule in Congress. We can take a point of personal privilege.

Mr. RASKIN. Well, then I would like Parliamentarian to rule on whether any Member of this Committee has the right to interrupt a witness's testimony because they mentioned the name of a Member of Congress.

Ms. GREENE. You mentioned my name, Mr. Raskin.

Mr. RASKIN. Yes, I am not testifying.

Chairman COMER. The Chair recognizes Ms. Greene.

Ms. GREENE. Thank you, Mr. Chairman.

Chairman COMER. For your point of privilege, very briefly.

Ms. GREENE. Thank you. For Mr. Roth, who made you in charge of what is true and—

Chairman COMER. Well—

Mr. GOMEZ. Does she get to reopen her questions?

Chairman COMER. We will go back to Mr. Gomez, and, Mr. Gomez, please remember the decorum of the Committee. We will restart the clock now. You didn't lose any time. The Chair recognizes Mr. Gomez.

Mr. GOMEZ. Thank you so much. The gentlelady from Georgia was suspended from Twitter for knowingly and consistently spreading conspiracy theories about COVID-19 vaccines, right, which is shameful, shameful, especially in a pandemic where millions of people have lost their lives. With that, I yield rest of my time to the gentleman from New York, Mr. Goldman.

Mr. GOLDMAN. Thank you, Mr. Gomez. Let's talk about the so-called Twitter Files, which my Republican colleagues seem to think are God's gift to journalism. In one about the Hunter Biden laptop, the author says that every single fact in the *New York Post* story was accurate, and, Chairman Comer, I noticed you blew up the cover of that *New York Post* story, which I appreciate you doing that because I would like to dig into this article. The very first paragraph says, "Hunter Biden introduced his father to a top executive at an Ukrainian energy firm less than a year before the elder Biden pressured government officials in Ukraine into firing a prosecutor who was investigating the company." That is false, 100 percent false.

Chairman COMER. Is the gentleman sure about that?

Mr. GOLDMAN. Yes. In fact, I am sure about that. And as the lead counsel in the first impeachment investigation, we proved that he was actually fired because he was not prosecuting corruption, not that he was fired because he was prosecuting corruption.

Chairman COMER. Actually, would the gentleman yield? Corruption of the President son's company—

Mr. GOLDMAN. I would like to reclaim my time.

Chairman COMER. The gentleman is recognized.

Mr. GOLDMAN. The fact that Joe Biden fired, consistent with U.S. policy and every single European country, the prosecutor general in Ukraine because he did not prosecute corruption, including at companies like Burisma, has been proven over and over and over. And if you want to know who actually prosecuted Burisma, Chairman Comer, you should talk to the British authorities because they were the ones who were prosecuting Burisma, and they couldn't get any cooperation from the Ukrainian Prosecutor General. So, that's why he was fired. So, right off the top, the very first paragraph of this so-called bombshell story is completely false.

Now, what is the allegation that we are hearing from our Republican colleagues about the connection to Joe Biden and Burisma? It is an email from a Burisma employee thanking Hunter Biden for organizing a meeting with the Vice President Biden. We know nothing about the substance of that meeting. We know nothing about how long they met. It was not on Vice President Biden's schedule. And, in fact, I would ask my Republican colleagues, do you meet with foreign businessmen? Do you meet with foreign diplomats? If we were to say to you every single time you met with somebody that you have discussed something that you're voting on, how would you react? It is preposterous.

And, Chairman Comer, you have said in your opening statement, that Joe Biden lied to the American people. That is a bold, bold accusation, and so far, we have seen no actual evidence of any lies or any support for Joe Biden being involved in anything having to do with Ukraine, other than promoting U.S. former policy. And I hope that you are not abusing the power as chairman of this Com-



mittee, and that you are not wasting taxpayer dollars on a fishing expedition into a civilian child of a president for political purposes. I yield back.

Chairman COMER. The gentleman yields. Quick question. You don't have to. It your choice. You yield?

Mr. GOLDMAN. Yes, please. I would love to discuss this.

Chairman COMER. Are you admitting that Joe Biden did get the prosecutor in Ukraine fired?

Mr. GOLDMAN. I think it is very clear that Vice President Biden, along with all of our allies in Europe, pressured Ukraine to fire a corrupt prosecutor general who was not charging corruption cases where that would have included potentially Burisma.

Chairman COMER. Corruption with his son's company?

Mr. GOLDMAN. Yes. In fact, what he wanted was the prosecutor general to prosecute corruption and the allegations that you are making and that the Russians are making because this is all part of Russian propaganda, is that Burisma was corrupt and Joe Biden was trying to stop an investigation into Burisma. That is categorically false and there is no evidence of it.

Voice. Mr. Chairman?

Chairman COMER. We are going to recognize one more speaker. We have been requested by the presenters for a brief bathroom break. If you will allow us, we have one more questioner and then we will take that break. The Chair recognizes Mr. Timmons for five minutes, and then we will have a 5 to 10-minute break. Mr. Timmons?

Mr. TIMMONS. Thank you, Mr. Chairman. We have a big picture problem right now, and we are talking about Twitter, specifically, and Hunter Biden's laptop, but it is not just that. It is the general trend of the media, social media, the FBI, DOJ, doing one side's bidding. That is the issue. There are mistakes that have been made, and we keep looking back at these mistakes and say, oh, that shouldn't have happened that way, we are going to have a new policy to avoid that from happening again, but every mistake benefits one side. Every mistake benefits one side. Let's go back to 2016.

The Democratic National Committee and the Clinton campaign paid Fusion GPS to fabricate the Steele dossier, which was the basis of this entire Russia collusion investigation, special counsel. We spent \$40 million pursuing it. There was no evidence of the Trump campaign colluding with Russia. There was none. It was actually fabricated by the Democrats and the Clinton campaign to create a narrative to damage President Trump, so that was a mistake. We all know that now. That was the conclusion of that investigation. And as a side note, that is why Adam Schiff is no longer on Intel because he lied about that investigation. He said as the Chair of Intel, I have all this information. He abused his position, and that is why he was removed from Intel.

So next, we go to 2020. Another mistake. We have something that is real labeled as something that is fake. We tell the American people that we are going to have an honest, open conversation about issues, about challenges that our country faces, and everybody has their own facts. The Congressman from New York is mentioning his facts. It is just very bizarre that Hunter Biden is mak-

ing tens of thousands of dollars a month with no credentials from business in Ukraine, whether they are being investigated. Who knows? I mean, these are all speculation, and it is something the American people can't really digest because we don't know the answers to it. And when we are told the answers by our government, by big corporations, by Big Tech, and they are repeatedly wrong, it creates a trust issue. It creates a trust issue. So, the American people do not trust what they are being told. They do not trust what they are being told.

We are going to dig into the Hunter Biden laptop briefly. Jack Dorsey has said that he did not make that decision. Ms. Gadde, did you make the decision to censor the Hunter Biden laptop story?

Ms. GADDE. Yes, I was involved in that decision.

Mr. TIMMONS. Who was the final arbiter because Mr. Roth has said he disagreed with that decision. Who was the final person that said we are going to do this?

Ms. GADDE. I ultimately approved that decision.

Mr. TIMMONS. OK. Thank you. Mr. Roth, you have said previously that you did not believe that the *New York Post* story violated any policy. You have said that multiple times today. How many times other than this one did something get banned or flagged that you disagreed with? Is this the only one?

Mr. ROTH. No, sir. Not at all.

Mr. TIMMONS. OK. Twitter repeatedly banned and censored material that you thought shouldn't be censored. Is that fair?

Mr. ROTH. These are challenging judgment calls, and I think reasonable minds can differ about whether a given piece of content does or does not—

Mr. TIMMONS. OK. But on this one, you did disagree. I just want to say, the American people need to have valid information to process decisions. I would argue that denying the American people the substance of Hunter Biden's laptop was wrong. You got photos and text messages of Hunter Biden committing multiple felonies, which was never actually criminal—there were no criminal charges. Must be nice. Hunter Biden and James Biden were negotiating deals with Chinese Communist Party agents, one of whom Hunter Biden classified as the spy chief of China.

We have evidence at least one of Hunter's deals with Chinese Communist Party-linked entities. Joe Biden was given a 10-percent equity stake in the joint venture. We have evidence that the Bidens were trying to sell America's natural resources to the Chinese. And this is my personal favorite: evidence that the Bidens and a Chinese energy company owned by the Chinese Communist Party had leased office space no further than three miles from where we are sitting right now, and the man running for President had his own office in that office space, his own personal office. Do you think the American people deserve to know that? I do.

I think that there is a lot of smoke surrounding the Biden's relationship with the Chinese Communist Party, there is a lot of smoke surrounding the Biden's relationship with Ukraine, and they deserve to have the facts to make a decision for themselves. You all got it wrong in 2016 with Russian collusion. You got it wrong with Hunter Biden's laptop in 2020. You got it wrong regarding COVID at every turn. The American people deserve better.

Mr. RASKIN. Would the gentleman yield for question?

Mr. JORDAN. The gentleman yield? The gentleman yield?

Mr. RASKIN. Would the gentleman yield for question?

Chairman COMER. The gentleman yield?

Mr. TIMMONS. Yes.

Chairman COMER. The Chair now recognizes Mr. Jordan.

Mr. JORDAN. Mr. Baker, did you talk to any of the 51 former intel officials who sent the now famous letter on October 19, 2020, saying that the Russian story in the *New York Post* had all the classic earmarks of a Russian information operation? Have you talked to any of those 51 prior to that letter being sent on the 19th or after?

Mr. BAKER. Sir, I can't remember who is on that group, but—

Mr. JORDAN. Clapper, Brennan, Morell.

Mr. BAKER. I have talked to those people during the course of my career, yes.

Mr. JORDAN. Have you talked to them in your time at Twitter?

Mr. BAKER. I can't remember who is on that list, so I am afraid—

Mr. JORDAN. No. How about the three I just mentioned, Clapper and Brennan?

Chairman COMER. OK. All right. Last question.

Mr. RASKIN. Mr. Chairman, regular order. Regular order.

Chairman COMER. Last question, but feel free to answer, then we'll recognize Mr. Raskin.

Mr. RASKIN. Well, I was going to ask the gentleman before he left whether he is denying the Russian disinformation propaganda campaign that we have heard about from witnesses, or he is just denying Russian collusion, which was something that Mr. Mueller specifically did not address in his final report. He said collusion is not a legal concept he was looking at, just a conspiracy. And he said there wasn't substantial enough evidence to charge conspiracy, but there were dozens of contacts between Donald Trump and the Russians that were documented in that report. That is all I wanted to say.

Chairman COMER. The Chair recognizes Mr. Jordan, then we will recess for—

Mr. JORDAN. Just to restate the question that is on the table to Mr. Baker. Did he talk with Mr. Clapper, Mr. Brennan, or anyone else that he knows of on that who signed that letter?

Mr. RASKIN. Point of order. Mr. Chairman, whose time is this? What is going on?

Mr. JORDAN. The Chairman's time.

Chairman COMER. This was a remaining three seconds of—

Mr. RASKIN. He doesn't have remaining time. He has gone over by a minute.

Chairman COMER. We are over. Mr. Baker, feel free to answer the question, if you want, and then we will take a recess.

Mr. BAKER. Mr. Jordan, I don't recall discussing the publication that they did about the Hunter Biden laptop with any of those people.

Chairman COMER. We will stand in recess for five minutes. When we return, Mr. Garcia will begin our questioning. We are in recess for 5 to 10 minutes.

[Recess.]

Chairman COMER. Again, I want to thank the witnesses for your indulgence, and I know it is a long day. You are doing great. We really appreciate it. Now we are resuming questioning, and the Chair recognizes Mr. Garcia for five minutes.

Mr. GARCIA. Thank you, Mr. Chairman. I want to thank our witnesses. And I just want to just start off also by just apologizing to our witnesses, particularly Mr. Roth, for just the homophobic rant and comments that were recently just made from the gentle lady from Georgia. That was really shameful. And I know that we are here to talk about serious issues, and we are having conversations about Grindr and other issues, which is not really what this hearing is about. So, apologize to all of our witnesses.

I want to note that I am someone that you would probably call a Twitter superuser. I use the social platform constantly. I communicate regularly, it is what I use to get my news. It is how I find out what is happening in popular culture. And I admire what Jack Dorsey, Evan Williams, and Christopher Stone actually tried to build as a company. I wish I could say the same for what the platform is today. I think, to me and to many other users, we have seen the site currently degraded. We have seen Mr. Musk more interested in attacking journalists and uplifting conspiracy theories than actually running a company, and I think we can all agree that just, overall, the service is substantially degraded. I think just an example is the forced For You page mess that I personally don't like, and I think most folks don't as well.

But I want to know more seriously that Mr. Musk and the current team has also done damage as far as trust and safety on the platform. He has gutted the Trust and Safety teams, have been described as eliminated content management systems, and the human rights team, which, as we know, has ceased to operate.

I do want to just take a minute to thank Mr. Roth, and particularly Ms. Navaroli, and your teams, I know that you are trying your best. I want to thank all of the folks that worked at Twitter because they believed in its mission, a mission I am not sure holds true today completely, but it is one that I know a lot of folks worked on, and so just thank you for that work. And mistakes were made, and clearly you have actually lived up to those mistakes and the issues that have existed.

But I especially want to thank you for your work around the pandemic. The pandemic took over a million American lives, 1,300 in my own city back home. And your decisions and content moderation actually saved countless lives in this country, including the work you did by moderating or banning Members even of this Committee, who peddled in lies and were actively causing death and harm to others. And so, for that work on content moderation, I want to thank you.

And I want to go back to something that Mr. Roth said, briefly. You had mentioned earlier in this hearing that you thought that currently there is still systemic election interference and interference happening. How serious do you think the current threat from Russia and other countries is to current election interference?

Mr. ROTH. I think we can look to the evidence from the midterms to know that these campaigns are ongoing and they are serious,

and it is not just Russia, Iran and China, though, they are the big players. There is now a playbook for how election interference works, and it is, unfortunately, all too cheap and all too easy for countries to try to carry this out.

Mr. GARCIA. Thank you. I think so. I think it is pretty clear what we have learned today. One thing we have learned, which hasn't been much by the way, is that there is current election interference happening today by Russia and other actors, and so that is something that is serious. That is what the focus of this hearing should actually be about versus all of this kind of nonsense, and lies, and conspiracy theories that this Committee is actually focused on today. I want to take the remaining balance of my time and yield to Ms. Ocasio-Cortez.

Ms. OCASIO-CORTEZ. I thank the gentleman from California. I would like to raise and follow-up on a point that the opposition and the other side of the aisle is making, which is trying to insinuate that there is something scandalous or unusual about Federal agency outreach to social media platforms and other organizations such as Twitter. The insinuation here is that in the FBI and other agencies reaching out to Twitter, that there is something nefarious about this, that this was some sort of partisan weaponization or attempt to intimidate. But we actually have quite a documented history of representatives from the Trump Administration hailing the progress that the government had made in working with companies like Twitter to counter foreign influence operations and other areas of concern.

In early March 2020, right before the Super Tuesday primary elections, several Trump Administration officials, including Mike Pompeo, Bill Barr, Chad Wolf, and acting director of National Intelligence, Richard Grenell, issued a statement praising the government's cooperation with the private sector to fend off foreign interference, and said that relationship was, "Stronger than it has ever been." This was around this whole time where there is this grievance around this. And listen to what DHS Secretary Chad Wolf had to say just weeks before the 2020 Presidential election: "We now have direct lines of communication with tech, and social media companies, and election officials so that both parties can seamlessly take action against false information spreading online." I would argue that this information from the Trump Administration would say that they would support your decision in temporarily suspending this disinformation that seemed to be coming out from the *New York Post*. So with that, I yield back to the Chair.

Chairman COMER. The gentlelady here yields back. The Chair recognizes Mr. Burchett for five minutes.

Mr. BURCHETT. Thank you, Mr. Chairman. Ms. Gadde, Charlie Kirk and Dan Bongino are conservative commentators. Is that a fair characteristic? Just "yes" or "no" would be fine.

Ms. GADDE. I believe so, but I am not—

Mr. BURCHETT. OK.

Ms. GADDE [continuing]. Familiar with them in detail.

Mr. BURCHETT. OK. The posters behind me show the side of Twitter that is not available to users. Is that correct?

Ms. GADDE. This appears to be a view of some of our agent tooling, but I did not have access to that, so I am not very familiar with that.

Mr. BURCHETT. OK. Well, Ms. Gadde, the labels identify status that have been assigned to these accounts. Is that correct?

Ms. GADDE. I don't know.

Mr. BURCHETT. Madam, these are your internal things. You are telling me you don't receive these? You don't know what they mean?

Ms. GADDE. Representative, I did not have access to these tools, and so I don't know. They look familiar to me.

Mr. BURCHETT. As an executive, you did not have access to inside information at Twitter? OK. Ms. Gadde, Mr. Bongino's account, there are a few words under the verified and active. Can you read the first two labels under verified and active there, the yellow ones?

Ms. GADDE. "Notification spikes." "Search blacklist."

Mr. BURCHETT. All right. Thank you, Madam. Mr. Bongino has more than 3.5 million Twitter followers. Is that correct? What do you say?

Ms. GADDE. I am sorry. I don't know the answer to that question.

Mr. BURCHETT. OK. Well, that is correct. Let's look at Mr. Kirk's account. Ms. Gadde, can I get you to read the yellow labels on Mr. Kirk's account? Can you see those?

Ms. GADDE. I am sorry. I can't see them from right here.

Mr. BURCHETT. All right. Do you know that Mr. Kirk has almost 2 million followers?

Ms. GADDE. I was not aware of that.

Mr. BURCHETT. OK. Let me ask you, what is a search blacklist?

Ms. GADDE. I do not know specifically what that is, but I could make a guess, if that would be helpful.

Mr. BURCHETT. Why don't you make a guess for me, please?

Ms. GADDE. When I was at Twitter, there was an ability to prevent something from appearing in one of the tabs of search results.

Mr. BURCHETT. OK. Thank you. What does "do not amplify" mean?

Ms. GADDE. To the best of my recollection, when I was at Twitter, it would mean that we would not recommend or amplify that content in the parts of Twitter where Twitter was making recommendations.

Mr. BURCHETT. OK. Thank you, Madam. In 2018, you said that Twitter does not shadow ban. Twitter did, however, engage in what is called visibility filtering. One Twitter employee described visibility filtering as a way for us to suppress what people see to different levels. Do you agree with that characterization?

Ms. GADDE. I am sorry. Can you please repeat the question?

Mr. BURCHETT. OK. They engaged in what is called visibility filtering. One Twitter employee described visibility filtering as a way for us to suppress what people see to different levels. Do you agree with that characterization?

Ms. GADDE. I agree that visibility filtering does give an ability to change.

Mr. BURCHETT. OK. Shadow banning, ma'am, is understood that the practice is limiting the visibility of a user's post without their knowledge. How is visibility filtering any different?

Ms. GADDE. Representative, I believe there are different definitions of "shadow banning."

Mr. BURCHETT. OK. But you said that Twitter in 2018 does not shadow ban. Was that a truthful statement, ma'am? Was that a lie?

Ms. GADDE. At that time, I specifically defined "shadow banning" to mean something different—

Mr. BURCHETT. OK.

Ms. GADDE [continuing]. Than visibility filtering.

Mr. BURCHETT. You also said that Twitter does not shadow ban based on political viewpoints or ideology. Do you stand by those comments?

Ms. GADDE. While I was at Twitter, to the best of my knowledge, we did not do that.

Mr. BURCHETT. OK. Mr. Roth, on January 22, 2017, you tweeted that there were actual Nazis living in the White House. Do you still stand by that comment? Yes or no?

Mr. ROTH. Sorry. I regret the language I used. No, I do not.

Mr. BURCHETT. OK. Mr. Roth, earlier in your testimony, you said you regretted tweeting that, "Actual Nazis are living in the White House." However, Iran's ayatollah sent antisemitic tweets, one stating, "Israel is a malignant cancerous tumor that has to be removed and eradicated." "Yes" or "no," did Twitter ever ban the ayatollah, removed this hateful antisemitic tweet? "Yes" or "no."

Mr. ROTH. To the best of my knowledge, Twitter did not remove that, no.

Mr. BURCHETT. The answer is no. Mr. Chairman, it is clear, conservative voices are being silenced on social media and the mainstream. I appreciate this hearing. I might also suggest we look into holding one on DirecTV, Newsmax, and OAN. I give the rest of my time to Mr. Jordan.

Mr. JORDAN. I thank the gentleman for yielding and for his good questions. So, the user knows when their account has been suspended or blocked, but they don't know when they have some of these gold terms that were under Mr. Bongino and Mr. Kirk. Is that right, Mr. Roth?

Mr. ROTH. As of the time that I worked at Twitter, yes, that is correct.

Mr. JORDAN. So, they don't know if they are on the search blacklist. They don't know if they are on the do not amplify. They don't know that?

Mr. ROTH. That is correct. Twitter did not disclose that.

Mr. JORDAN. So, you did that to these two accounts. What I want to know was did you know, Mr. Roth, if that was at the prompting of anyone from the government.

Chairman COMER. The gentleman's time has expired, but please answer the question.

Mr. ROTH. No, sir. I am not aware of any requests or orders or demands or anything from the government requesting that visibility filtering be applied to those accounts or any others.

Chairman COMER. The Chair recognizes Mr. Frost for five minutes.

Mr. FROST. Thank you, Mr. Chairman. Look, I mean, I have been sitting here for over two hours, and I am still not really seeing the point of this hearing. Is it to solve the problems of the American people, what people are struggling with? No. We get it. My Republican colleagues wish that the Hunter Biden story would have helped them win the 2020 election, and that didn't happen, and so they are angry about it, and that is the point of this hearing. You know, it was the actually the foundation of the Chairman's opening statement. It is why he brought up that poll on the 2020 election. That is what this is all about. And so, I want to say to my colleagues, don't worry, there are still many platforms, you can spread disinformation on—Parler, Truth Social—that have questionable editorial policies, but aren't here today.

There was no collusion, as the witnesses have said under oath. There was no pressuring from the U.S. Government, as we heard under oath. We are wasting our time here bullying former Twitter employees. It is calling the ref. So that way in the future, when they want disinformation to be put on the internet, social platforms will be scared to call them out down the road. It is called calling the ref. But let's talk about the root of this hearing.

My Republican colleagues would have folks believe that Democrats are preparing for some sort of major culture war, and there is a difference between a culture war and how culture naturally changes, culture change. Some on this Committee are very resistant to culture change. I mean, just yesterday, we heard a Member equate immigration negatively to changing our culture, Black and Brown folks coming into our country. The reality is that culture changes and adopts. It welcomes more people, it becomes more understanding, and it also decides to reassess what is acceptable behavior and rhetoric. It could be different now than it was in say, the 1950's. In this supposed culture war, they often conflate the right to free speech with the nonexistent right to not be criticized or held accountable for what you say on the internet or even in real life. And just because it is legal to say something and the government won't throw you in jail for it, doesn't mean the rest of the world and sometimes even your own family have to associate themselves with you or your comments.

Mr. Roth, you help set up content moderation policy at Twitter. What type of user tweets were more likely to get limited? Did it have to do with racism, sexism, homophobia, violence, or were you all looking for people who were supporting President Trump and limiting those?

Mr. ROTH. Our policies were built fundamentally to be viewpoint neutral. They were focused on harm reduction, looking to things like the Universal Declaration of Human Rights with a focus on protecting people's safety, people's right to free and fair elections, people's rights to free speech, and we built, concern with those rights, into our policy.

Mr. FROST. So, being a decent human being?

Mr. ROTH. That is certainly what we try to—



Mr. FROST. OK. Got you. Ms. Navaroli, earlier, you testified about a 2019 tweet that was about President Trump, and I think it was from Ms. Teigen. What was the tweet about?

Ms. NAVAROLI. Would you like me to give the direct quote?

Mr. FROST. Yes.

Ms. NAVAROLI. Please excuse my language. This is a direct quote, but Chrissy Teigen referred to Donald Trump as a “pussy ass bitch”.

Mr. FROST. OK. Free speech. And what happened after Ms. Teigen posted her tweet? What did the White House do? What did the Trump White House do?

Ms. NAVAROLI. From my understanding, the White House reached out to ask that this tweet be removed. It was my team’s job—this fell underneath the policy for abusive behaviors—and then we evaluate it underneath our insults policy at that time up to three insults were allowed. And so, it was our job to determine how many insults were included within that phrase.

Mr. FROST. So, the Trump White House reach out to not an agency, but the White House reached out and requested that you remove the tweet.

Ms. NAVAROLI. From my understanding, yes.

Mr. FROST. OK. Mr. Roth, you mentioned a serious problem with foreign interference in our elections. Did you see that mass interference work more in support of right-wing candidates like President Trump in 2016 or President Biden in 2020?

Mr. ROTH. Thank you for the question. It is an important one, and I don’t think there is a clear or easy answer to this. We saw Russian operatives playing both sides and often playing them against each other. One of the most enraging interactions that my team saw were accounts operated out of the same Russian troll farm arguing with each other.

Mr. FROST. Got you.

Mr. ROTH. And they were manufacturing drama, both on Democratic sides and on the Republicans.

Mr. FROST. So, it’s still a huge issue.

Mr. ROTH. Absolutely. A hundred percent.

Mr. FROST. Well, there you have it. There are issues of Big Tech. There are serious issues we need to litigate. Hunter Biden’s laptop is not one of them. And like many of my colleagues have said, we need to talk about these issues, how January 6 maybe could have been prevented if Twitter had taken action due the hateful speech and how we have foreign interference in our elections. Why are folks on this Committee, so obsessed with Twitter’s editorial decision on Hunter Biden’s laptop? Would they hold the same hearings of the editorial decisions of Fox News and Newsmax? Free speech is about the government limiting speech about the public.

My Governor, Ron DeSantis, is doing that right now. I have a venue in my district that he is revoking the liquor license of, trying to close because they had a drag show. We have teachers who are not able to teach the curriculum that they want because they disagree with Ron DeSantis and his view of the world. That is limiting free speech. And I would love to see this Committee bring in some of these Governors who are abusing their power, like Gov-

ernor DeSantis in my state of Florida, to limit the free speech of people. I yield back.

Chairman COMER. The gentleman yields back. The Chair now recognizes Mr. Gosar for five minutes.

Mr. GOSAR. Thank you, Mr. Chairman, for this important hearing, and thank you for our witnesses for appearing as well. I want to be clear. Despite claims and witness testimonies, government cannot deputize the private sector for actions that would be otherwise be restricted by the Constitution, in this case, the censorship of lawful speech.

Now, I want to direct you to a tweet over my shoulder sent by President Trump on October 5, 2020, before Twitter banned him from the platform. This was after President Trump has become infected with COVID and received treatment at Walter Reed Medical Center. It says in part, “Don’t be afraid of COVID. Don’t let it dominate your life.” Do you see that, Mr. Roth?

Mr. ROTH. Yes, sir, I do.

Mr. GOSAR. Close to an hour later, you received an email from James Baker at Twitter, reproduced behind me, as well saying, “Why isn’t this POTUS tweet a violation of our COVID–19 policy, especially, ‘don’t be afraid of COVID’ statement?” Isn’t that correct, Mr. Roth?

Mr. ROTH. Yes, I believe that is the email displayed.

Mr. GOSAR. Now, Mr. Baker, was it your understanding that the Twitter COVID–19 policy was people should be afraid of COVID?

Mr. BAKER. Sir, my recollection—

Mr. GOSAR. “Yes” or “no?”

Mr. BAKER. Could you repeat the question, sir?

Mr. GOSAR. Was it your understanding that Twitter’s COVID–19 policy was “people should be afraid of COVID”?

Mr. BAKER. At that point in time, I did not fully understand what Twitter’s COVID misinformation policy was, so I was trying to understand.

Mr. GOSAR. I am recapturing my time. So, maybe you thought that Twitter’s policy was that it should dominate people’s lives? Is that what you thought?

Mr. BAKER. I am sorry. I have been having a hard time hearing you, sir.

Mr. GOSAR. So, is it the fact that Twitter doesn’t dominate people’s lives? Is that the problem with that tweet?

Mr. BAKER. At that point in time, I did not understand fully. I was relatively new at Twitter, and I was trying to understand what the policy was and, therefore, I was—

Mr. GOSAR. OK. OK. I am recapturing my time. I just want to ask you—the other two were asked. Where did you go to medical school?

Mr. BAKER. I beg your pardon?

Mr. GOSAR. Where did you go to medical school?

Mr. BAKER. I did not go to medical school.

Mr. GOSAR. OK. Now I would like to have a “yes” or “no” from each of the witnesses on these following questions. Did you or others at Twitter communicate with government officials by means of disappearing messaging systems like Signal, Snapchat, or Wickr? Mr. Baker, “yes” or “no.”

Mr. BAKER. Have I ever communicated with a government official using those?

Mr. GOSAR. "Yes" or "no?"

Mr. BAKER. I don't recall.

Mr. GOSAR. Ms. Gadde?

Ms. GADDE. Not to the best of my recollection.

Mr. GOSAR. Mr. Roth?

Mr. ROTH. Yes.

Mr. GOSAR. Ms. Navaroli?

Ms. NAVAROLI. Not to my recollection. No.

Mr. GOSAR. Once again, did you or others at Twitter receive requests from Federal law enforcement to allow criminal activity or content whose distribution is criminal to proceed on Twitter? Mr. Baker?

Mr. BAKER. I am sorry. I don't understand the question, sir.

Mr. GOSAR. Ms. Gadde?

Ms. GADDE. Can you please repeat the question, sir?

Mr. GOSAR. Mr. Roth?

Mr. ROTH. If I understood the question correctly it is whether we received requests to allow unlawful activity?

Mr. GOSAR. Yes.

Mr. ROTH. The answer is no.

Mr. GOSAR. OK. Ms. Navaroli?

Ms. NAVAROLI. Not to my knowledge, no.

Mr. GOSAR. Now, I would like to submit for the record an article by the *New York Post* titled, "Twitter Refused to Remove Child Porn Because it Didn't Violate Policies." Ms. Gadde, who was involved in this determination?

Ms. GADDE. I am not familiar with this situation.

Mr. GOSAR. Mr. Roth, are you familiar with this?

Mr. ROTH. No, sir, I am not.

Mr. GOSAR. Once again, I would like a "yes" or "no" from each of the witnesses. Did you apply labels to users with an administrative tool to downrank them? Mr. Baker?

Mr. BAKER. I am sorry, sir. I am having a very hard time hearing your questions.

Mr. GOSAR. Ms. Gadde?

Ms. GADDE. I am having the same problem, sir. Can you please repeat the question?

Mr. GOSAR. Mr. Roth?

Mr. ROTH. I am not sure I understood the question, sir.

Mr. GOSAR. Well, I am asking you did anybody use an administrative tool to downrank users?

Mr. ROTH. Yes, sir. That is a part of Twitter's content moderation capabilities.

Mr. GOSAR. Mr. Baker?

Mr. BAKER. Well, I will rely on Mr. Roth.

Mr. GOSAR. OK. Ms. Gadde?

Ms. GADDE. Yes. We are very public about our recommendation systems and how they work.

Mr. GOSAR. Thank you. Mr. Chairman, today's witnesses played a central powerful and disturbing role in limiting not only free speech, but even people's good faith inquiries and research regarding their own health. The internet is increasingly where my con-

stituents go to engage in civic discourse. Our liberties as Americans will be diminished if we do not recognize our speech is increasingly virtual and right now subject to hostility and threatened through bans and deplatforming. The suggestions by witnesses that all of the removal of “lawful, but awful speech” was done in favor of users is bunk. You could just as easily provide a content filter option to allow lawful speech letting users decide what lawful materials they do or don’t want to engage with, but you didn’t. You censored and manipulated millions of people.

Do not allow people like this sitting in front of us today, to be the arbiters of truth. I urge my colleagues to support my Section 230 Reform, Stop the Censorship Act, which empowers users with the editorial contract. As private businesses, you always have a contract with your customers. Allow them to pick. I yield back my time.

Chairman COMER. The gentleman yields back. The Chair recognizes Ms. Balint.

Ms. BALINT. Thank you, Mr. Chairman, and I want to say as a former history teacher, I care a lot about the facts and the details, so let’s dive in.

On December 4, then Ranking Member Comer appeared on Fox News and alleged that what Elon Musk’s Twitter File showed was “evidence that the Biden campaign colluded with Big Tech to suppress a story that we now know is 100 percent true.” That is simply not true. It is not true based on what we knew then. It is not true based on what we know now. Mr. Roth, in a declaration to the FEC in December 2020, you stated, “I did not receive any communications from or have had any communications with representatives of Biden for President, the Democratic National Committee, or any of their agents regarding the *New York Post* articles before Twitter implemented the enforcement actions on October 14, 2020.” Mr. Roth, do you stand by that statement?

Mr. ROTH. Yes, absolutely.

Ms. BALINT. It is also worth noting that your colleague, I believe Lauren Culbertson told the FEC the same thing. Ms. Gadde, did anyone from the Biden campaign or the Democratic National Committee direct Twitter to remove or take action against the *New York Post* story?

Ms. GADDE. No.

Ms. BALINT. Mr. Baker, same question to you, please.

Mr. BAKER. Not to my knowledge, no.

Ms. BALINT. So, the evidence is clear. Neither the Biden campaign nor the DNC had anything to do with Twitter’s decision-making about the *New York Post* story. My Republican colleagues are using what are otherwise innocuous emails to suggest that there was somehow collusion between Twitter and the Biden campaign. For example, in one email, and this is the same one mentioned in Mr. Donalds’ questioning earlier. In one email selectively used by Elon Musk, one Twitter executive sends another a series of hyperlinks on October 24, 2020, with the comment, “More to review from the Biden team.” For the record, this is Tweet Number 8 in the first installment of the so-called Twitter Files. So, Ms. Gadde, are you familiar with this email?

Ms. GADDE. No, I am not.

Ms. BALINT. OK. So, just to be clear, this email has nothing to do with the *New York Post* story. It is dated October 24, 2020, after Twitter had both made and reversed its decisions about the *New York Post* story. Mr. Baker, do I have that right?

Mr. BAKER. Based on, I think, the exhibit that was shown earlier. That sounds correct, yes.

Ms. BALINT. So, Ms. Gadde, can you clarify for the record, if you are able, to what is happening here?

Ms. GADDE. Can you please be more specific about—

Ms. BALINT. With this email?

Ms. GADDE. I don't believe I was a recipient of that email or reviewed it during my time at Twitter, so I am sorry. I don't have familiarity with that.

Ms. BALINT. That is OK. Mr. Baker?

Mr. BAKER. To the best of my understanding, these were tweets that the campaign had concerns about. I don't know the details of those, and they were referred to Twitter, well, I am not sure exactly why, but I can't get inside their heads, but they were referred to Twitter, and Twitter reviewed them, and someone, again, going off the exhibit, said they were handled. I don't know what that means in terms of whether they took any action or didn't take any action, but at least they addressed the matter, so that is what I construe from that email.

Ms. BALINT. Thank you, Mr. Baker. I appreciate that. So, from my understanding of everything that we have heard today, it is really not uncommon for outside entities, including, as we have heard, Mr. Trump's campaign, to request that Twitter remove content that violates the company's terms of service. Is that correct? Ms. Gadde?

Ms. GADDE. That is very common globally.

Ms. BALINT. Thank you. So, to the best of your ability to answer, Ms. Gadde, were any decisions approved or acted upon based on the political party making the request?

Ms. GADDE. No. Our teams were trained to enforce our rules consistently and fairly without regard to any sort of political ideology.

Ms. BALINT. Thank you. So, I believe that what is happening here is my Republican colleagues know that the premise of this whole hearing is misleading. There is no evidence that the Biden campaign had anything to do with the Hunter Biden, the *New York Post* story. And the evidence we do have simply shows that the Biden campaign did what the Trump campaign and millions of Twitter users do routinely: flag content and ask Twitter to conduct its own review to determine whether it violates Twitter's own rules and policies. I yield back.

Chairman COMER. The lady yields. The Chair recognizes Mr. Palmer for five minutes.

Mr. PALMER. Thank you, Mr. Chairman. I would like to submit a June 22 study conducted by Princeton University called "Powered by Twitter: The Taliban's takeover of Afghanistan."

Chairman COMER. Without objection, so ordered.

Mr. PALMER. This study covers the timeframe of April to September 2021, which is the 4-5 month period between President Biden's official announcement of America's intentions to withdraw and the chaotic end of the American troop presence in Afghanistan.

The study found that the Taliban weaponized Twitter and that Twitter's moderation policies failed. There were more than 126,000 accounts in the Taliban support network, and 83 percent of these Taliban associated accounts were created before 2021, well before Twitter could claim that these accounts represented a government. These accounts shared graphic images and videos depicting dead and decomposing bodies and rampantly spread disinformation about the facts on the ground in direct violation of Twitter's public policies. Taliban tweets were shared millions of times in the summer of 2020.

The study also found that three quarters of Taliban content was produced by only 20 accounts, which suggests to me that moderation efforts would have been relatively straightforward. By the way, U.S. Government classifies the Taliban as an insurgent group, in case some of my colleagues don't understand what real insurgencies are.

Mr. Roth, why wasn't Twitter more effective at curtailing the clear-cut content violations by Taliban Twitter accounts?

Mr. ROTH. Thank you for the question, sir. At the time that you referenced, I wasn't responsible for Twitter's work on counterterrorism.

Mr. PALMER. Do you have any idea of why Twitter would allow clear-cut violations by an insurgent group? And by the way, they carried out multiple suicide attacks during the timeframe. They were sending out these tweets, killing dozens and injuring hundreds.

Mr. ROTH. It is my understanding that Twitter's policies at the time distinguished between some of the more violent portions of the Taliban and some of the more political portions of it. I am not rendering judgment on this.

Mr. PALMER. We still have that stuff. That is still up on Twitter, and I just wonder how many content moderators were assigned, if any, to check on these accounts? Additionally, it appears that Twitter was profiting from Taliban's presence on the platform in the lead-up to the overthrow of the Afghan Government. Twitter placed ads from U.S. companies, including Amazon, Disney, McDonald's, and on the Twitter accounts of the Taliban news organization, and their spokespersons, and their senior leaders. Ms. Gadde, did Twitter make money off placed ads on Taliban Twitter accounts on August 26, 2021, when 13 U.S. men and women died in a suicide bombing?

Ms. GADDE. I have no knowledge of this matter.

Mr. PALMER. You don't have any knowledge about whether or not these ads were up?

Ms. GADDE. I do not.

Mr. PALMER. According to Twitter, the decision to ban President Trump was after a close review of his tweets and the context surrounding them, specifically, how they are being received and interpreted on and off Twitter. On June 3, 2018, the Iranian Ayatollah Khomeini—

[Technical glitch – loss of electricity]

Voice. Now, did Twitter do that?

Mr. PALMER. Sounds like a green new deal to me.

Chairman COMER. Set the clock back.

Voice. Mr. Chairman? Mr. Chairman, let me say that in six years, I haven't seen this happen, and it happened today—

Mr. RASKIN. Mr. Chairman, we have got no power in the back either.

Chairman COMER. They don't have any power back there either.

Mr. PALMER. Well, I don't think we want to continue this without our audio and visual.

Chairman COMER. We will stand at ease for a couple of more minutes, and if this doesn't get resolved, then we may recess for five minutes or so, but hopefully, it will be resolved in the next minute or two.

Mr. RASKIN. Mr. Chairman?

Chairman COMER. Mr. Raskin.

Mr. RASKIN. Thank you. Could we use this moment to do some unanimous consent introductions of materials?

Chairman COMER. Sure.

Mr. RASKIN. Is that OK? I would like to introduce a March 27, 2019, article by Lori Robertson entitled, "The Dossier Is Not What Started All of This." This is just an answer to one of our colleagues who said that the dossier is what started the Russia investigation and that has been disproven by the Department of Justice Inspector General.

Chairman COMER. Without objection, so ordered.

Any other Member have anything to add to the record?

[No response.]

Chairman COMER. OK. Since the microphones work and we can see, the Ranking Member and I have discussed this, the biggest issue will be the timer, right? So, we are going to have to manually time it. Would you agree, Mr. Palmer, to—

Mr. PALMER. I think I have to—

Chairman COMER. Yes. Why don't you all work with us on that. You have 2 1/2 minutes left. Does that sound right, Gary?

Mr. PALMER. I thought it was, like, four.

Chairman COMER. I think it was 2 1/2 minutes and something.

Mr. PALMER. All right.

Chairman COMER. So, if everyone's OK?

Mr. PALMER. Mr. Chairman, I am going to have to repeat a statement so—

Chairman COMER. OK.

Mr. PALMER. Two-forty-five. Fair enough?

Mr. RASKIN. Well, let's give him three minutes.

Chairman COMER. All right. We will give you three minutes.

Mr. PALMER. OK.

Chairman COMER. The TV camera is not working. That might be a problem, the C-SPAN camera. We will stand at ease for a moment. The C-SPAN camera is not working. OK. For how long?

OK. So, we have been informed the whole quadrant electricity is out. We can't have the hearing if C-SPAN is not on, so we are going to take a 10-minute recess, and I apologize for this. This is beyond our control. So, we will take a 10-minute recess and if any of the witnesses need a break or anything, we will help you get through the crowd. We stand in recess for 10 minutes.

[Recess.]

Chairman COMER. We will call the meeting back to order, and I apologize. We have never had this happen when the electricity went out. The computer is flickering, but the C-SPAN is working, so we are being recorded again, according to the rules. Where we left off, Mr. Palmer had three minutes remaining, so I now yield three minutes to Mr. Palmer.

Mr. PALMER. Thank you, Mr. Chairman. Let's try this again.

According to Twitter, the decision to ban President Trump was after a close review of his tweets and the context around them, specifically how they are being received and interpreted on and off Twitter. On June 3, 2018, the Iranian Ayatollah Khomeini tweeted, "Israel is a malignant cancerous tumor in the West Asian region and has to be removed and eradicated. It is possible and it will happen." This tweet remains on Twitter to this day. Mr. Roth, how do you believe this tweet from the leader of Iran calling for the eradication of Israel was received and interpreted on and off Twitter?

Mr. ROTH. I couldn't say for sure how that tweet was interpreted.

Mr. PALMER. You would have a pretty good idea, though, of how many retweets and the amount of traffic it got?

Mr. ROTH. Only from what I can see in that illustration.

Mr. PALMER. Why does the Iranian leader who has explicitly pledged to eradicate the Jewish State of Israel get to remain on Twitter? Mr. Roth?

Mr. ROTH. Like all of Twitter's users, the Ayatollah is subject to the same set of rules. And while I can't speak for Twitter's decisions today, I can say that Twitter took a number of enforcement actions against the Ayatollah's account the same way that we would against anybody.

Mr. PALMER. That is still up. You understand how hypocritical this is, right? You banned a sitting U.S. President and a sitting Member of Congress, Marjorie Taylor Greene, while a man who has pledged death to America and can openly call for the death of millions of Jewish people, and yet not be removed from Twitter. Do you understand how that looks, how hypocritical that is? I am asking Mr. Baker, Ms. Gadde, Mr. Roth, Ms. Navaroli. That is amazing, but it shows hypocrisy at Twitter.

I want to pivot here, Mr. Chairman. Mr. Goldman made a very troubling statement claiming that as Vice President, Joe Biden fired the attorney general of Ukraine. Since he had knowledge of this prior to becoming a Member of Congress, Mr. Goldman should provide to the Committee documentation about this action. We should know who authorized Vice President Biden to take this action against the Ukrainian attorney general. We need to know was there an investigation to justify the firing of the Ukrainian attorney general, and if yes, who conducted it. He needs to provide all details involving this action, including Vice President Biden's threat to withhold a billion dollars of U.S. funding if the Ukrainian AG was not fired. And who authorized Vice President Biden to make that threat? I would request that the Committee look into this, and I yield back.

Chairman COMER. The gentleman yields back. The Chair now recognizes Ms. Lee for five minutes.



Ms. LEE. Thank you, Mr. Chair. This has been an incredibly electric hearing. It would be funny if it weren't real life. I understand my colleagues on the other side of the aisle want to be victims so very badly, but, Ms. Navaroli, if I understand you correctly, public criticism and allegations of anti-conservative bias are actually making Twitter and other social media companies less willing to enforce their own policies against political conservatives, correct?

Ms. NAVAROLI. Yes, that was my understanding based on research that was done at Twitter.

Ms. LEE. Meaning the same Republicans insisting on making themselves a victim is working?

Ms. NAVAROLI. Could you repeat the question?

Ms. LEE. The same Republicans, folks on this panel who are insisting on making themselves victims in this conversation about Twitter censorship and other accusations they have made, is this working because of the conservative bias and the implications of it or the allegations of conservative bias?

Ms. NAVAROLI. I—

Ms. LEE. In other words, are the allegations of conservative bias making it harder for those in Twitter or those who are working there to enforce these policies against folks who incite hate speech or make it?

Ms. NAVAROLI. Thank you for rephrasing that question, and thank you for asking it. Yes, these allegations are very much having an impact on the leadership within every social media company as they hope to not receive allegations of being biased or in any way being politically leaning.

Ms. LEE. Thank you. I am not the only lawyer in the room. So, you all know that while the Constitution does provide us the right to free speech, there are, of course, limitations. As Ms. Navaroli pointed out, we cannot yell "fire" in a crowded theater. Compromising freedom of speech may seem dangerous until we weigh that compromise against the men and women massacred in Buffalo, for instance, or the many other places where radicalized violent extremists found their motivation to kill on social media. This isn't about oppression. It is about public safety. This isn't about censorship. It is about protecting our democracy from misinformation.

Ms. Navaroli, it was your job to decide whether someone was yelling fire in the theater. Could you describe the coded incitement to violence policy Twitter did not implement?

Ms. NAVAROLI. Yes, thank you for that question. The coded incitement to violence policy was an incredibly nuanced policy that was created in order to fill the gaps that were existing in the already existing policies around violence. The policies around violence were explicit, so these were calls that said I am going to, I want to, I plan to, I wish to, those sorts of incitements would have come down. Things like "stand back, stand by," things like "I am locked and loaded and ready for a civil war," or dog whistles, that were not covered underneath the policy.

Ms. LEE. Thank you. Could it have saved lives if it were implemented on January 5, 2021, or possibly in November 2020?

Ms. NAVAROLI. I can't speculate as to what might have happened, and I do wish we would have acted.

Ms. LEE. Thank you. Ms. Gadde, the very same words that were plastered across Twitter were shouted at the January 6 insurrection. What threats do Americans face now that Elon Musk has removed all guardrails and welcomed back Donald Trump to the platform?

Ms. GADDE. Thank you for the question. I am actually not really familiar with what the content moderation policies of Twitter are today.

Ms. LEE. OK. Thank you. Social media platforms like Twitter must own up to their responsibility in spreading violence and chaos. I would argue so, too, the Members of this panel and institution. Thank you, I yield the balance of my time to Mr. Raskin.

Mr. RASKIN. Thank you very much. Mr. Roth, I want to go back to the whole question of your finding hundreds of thousands of fake accounts set up by Vladimir Putin and the Russian Internet Research Agency, I think they call it, which was the propaganda arm in 2016 and I suppose to this day. Some have been suggesting on the other side of the aisle that it is illegitimate for the FBI or any representative of the Federal Government, presumably even Donald Trump, who did a lot of this, to contact private media entities in order to apprise them of anything, whether it might be the penetration of organized crime or child pornography or foreign malign influence. And I am just wondering if you would give us a sense of how much work is actually being done, and I was going to check with you and Mr. Baker about that. How much work does Twitter and other social media entities do that relies on the FBI and other national security agencies?

Mr. ROTH. Thank you for the question. There is a considerable amount of work to address foreign disinformation at Twitter and also at other companies, and this work was reliant, in part, on intelligence shared with companies by law enforcement and by the intelligence community. I would regard that work as essential. At Twitter, we had dozens of people working just on these questions of election interference. Those teams no longer exist under Mr. Musk.

Mr. RASKIN. And Mr. Baker, if you could.

Mr. BAKER. Thank you, sir. Just generally, I mean, it is a matter of public record that the FBI has worked with the public, including private entities for decades. Indeed, they have had for some number of years now, I think it is called Office of Public Sector Engagement. This is part of what they do in order to fulfill their responsibilities and to do their jobs to protect the country.

Mr. RASKIN. OK. I yield back.

Chairman COMER. The Chair recognizes Mr. Armstrong for five minutes.

Mr. ARMSTRONG. Thank you. Mr. Roth, I am going to continue down that line of questioning. So, you were just talking about working very hard to keep foreign troll farms from using Twitter and to engage in malign foreign interference. This sounds like a fairly robust undertaking, you said, between 2016 and 2020. You had different teams stood up to do this constant vigilance?

Mr. ROTH. Yes, sir. That was the phrase that we used.

Mr. ARMSTRONG. Yes, and these types of attempts are constantly evolving. They are trying to find new ways to penetrate your sys-

tem, so you have to be engaging with it and being willing to adapt on a constant basis?

Mr. ROTH. Yes, sir. That is right.

Mr. ARMSTRONG. And now we forward to 2020, and earlier you had testified that you were having regular interactions with national intelligence, Homeland Security, and the FBI?

Mr. ROTH. Yes, I did.

Mr. ARMSTRONG. And primarily to deal with foreign interference?

Mr. ROTH. Primarily, but I would say almost exclusively.

Mr. ARMSTRONG. Also misinformation in all of that, but you had said earlier that your contact with Agent Chan was primarily with foreign interference?

Mr. ROTH. Yes, that is right.

Mr. ARMSTRONG. All right, and these were emails. Were there meetings?

Mr. ROTH. Yes. Twitter met quarterly with the FBI Foreign Interference Task Force, and we had those meetings running for a number of years to share information about malign foreign interference.

Mr. ARMSTRONG. Agents from Homeland Security, or intelligence, or just primarily the FBI?

Mr. ROTH. Our primary contacts were with the FBI, and in those quarterly meetings, they were, I believe, exclusively with FBI personnel.

Mr. ARMSTRONG. And you had multiple former FBI agents on the payroll. I mean, Mr. Baker, you have 10 years' experience with FBI, DOJ?

Mr. BAKER. Well, but DOJ, it is two decades roughly. Just for the record, I was never an FBI agent.

Mr. ARMSTRONG. OK.

Mr. BAKER. Yes.

Mr. ARMSTRONG. And Twitter has such a close relationship with at least one FBI agent. That agent could start emails with, "Hey, Twitter folks," and could actually advise your company about violations of your own terms of service. Mr. Roth, I think it is safe to say that you had a consistent dialog with the FBI for the weeks and months prior to the *New York Post*, is that fair?

Mr. ROTH. I had ongoing conversations with the FBI for years, I would say, about election security.

Mr. ARMSTRONG. And in response to Mr. Fry earlier, you said you would not categorize the FBI communications as pressure.

Mr. ROTH. No, I would not.

Mr. ARMSTRONG. However, Twitter's director of policy wrote to you in 2020 that Twitter has seen a sustained effort by the intelligence community to push Twitter, and that Twitter should keep a solid front against these efforts. He specifically cited Elvis Chan, an FBI agent in San Francisco. Now, on August 11, 2020, Agent Chan sent you three documents in prep for a meeting and said the documents pertain to APT28, a hacking unit connected with Russian military intelligence. Agent Chan arranged for having security clearance for Mr. Baker and facilitated encrypted networks for the FBI to share information with Twitter employees. And on October 14, 2020, you stated that this feels a lot like somewhat of a subtle leak operation. Earlier today you testified that you were following

national security experts on Twitter as a reason to take down the *New York Post* story on Hunter Biden's laptop.

Mr. ROTH. Yes, sir, I did.

Mr. ARMSTRONG. So, after 2016, you set up all these teams to deal with Russian interference, foreign interference. You were having regular meetings with the FBI. You have connections with all of these different government agencies, and you didn't reach out to them once?

Mr. ROTH. Is that question in reference to the day of the *New York Post* article?

Mr. ARMSTRONG. Yes.

Mr. ROTH. That is right. We generally did not reach out to the FBI to consult on content moderation decisions, especially where they related to domestic activity. It is not that we wouldn't have liked that information. We certainly would have. It is that I don't believe it would have been appropriate for us to consult with the FBI.

Mr. ARMSTRONG. So, in December 2020, you did a declaration to the Federal Election Commission that the intelligence community expected a leak and a hack operation involving Hunter Biden. Recently, Mark Zuckerberg confirmed that the FBI warned Meta that there was a high effort of Russian propaganda, including language specific enough to fit the Hunter laptop Biden's security story. You are talking to these people for weeks and months, years prior to this leaking. They have specifically told you in October that there is going to be a leak potentially involving Hunter Biden's laptop. They legitimately and literally prophesized what happened, and you didn't contact any of them?

Mr. ROTH. No, sir, I did not.

Mr. ARMSTRONG. Did they reach out to you?

Mr. ROTH. On and around that day, to the best of my recollection, no, they did not.

Mr. ARMSTRONG. So, after the story was taken down and you guys did it, and you personally disagreed with it—Ms. Gadde, you said you did—did you contact them and say, hey, is this what you were talking about?

Mr. ROTH. If that question was directed to me, no, I did not—

Mr. ARMSTRONG. Ms. Gadde, did you talk to anybody from the FBI?

Ms. GADDE. Not to the best of my recollection.

Mr. ARMSTRONG. So, I guess my question is, what is the point of this program? You have constant communication, they are set up for foreign interference, they have legitimately warned you about this very specific thing, and then all of a sudden everybody just walks away? Like, this is what you planned for. This is what you prepared for. This is the information. They told you exactly what was going to happen. And then you want—I don't care, Members of Congress—you legitimately want the American people to believe we just completely cutoff contact with all of the people who we were supposed to defend against? I don't think it passes the smell test, and neither to the American people. I yield back.

Chairman COMER. The Chair recognizes Mr. Casar for five minutes.

Mr. CASAR. I am honored to be a new Member of Congress where our purpose is to listen to the people, and represent their voices, and lift up our communities. After talking to thousands of people across Texas, asking them what do you want me to work on for you as a new Member of Congress, not a single person told me they were concerned about a *New York Post* story on Twitter about Hunter Biden. Is that really what we are dedicating this Committee's time to? Is that really what we are going to dedicate the next two years to? Our constituents of all political backgrounds are worried they are getting pushed out of their neighborhoods by spiking housing costs. They see their public schools suffering because we aren't supporting our teachers. In my state, our rural hospitals are closing. We have more uninsured people than anywhere in the country. We have the highest number of food insecure kids, and reproductive rights have been stripped away. We are talking about none of that.

It seems to me that we are having these hearings so that people can beat their chest about Hunter Biden, maybe do some fundraising, get some headlines, and ironically post those on Twitter. If that is what House Republicans want to spend their time on, then that is their prerogative, but to me, it is a damn shame. We are here for a bigger purpose than that.

Under the leadership of the legendary chairman, Jack Brooks from Texas, this Committee implemented the Great Society through the creation of Head Start and the creation of Medicare. They investigated Watergate. They built the U.S. space program. Anything is possible if we all come together to work on what our constituents demand, if we make sure that we say to our constituents that your voice matters here. We could be ensuring that the historic investments in infrastructure and domestic manufacturing create good union jobs where we need them the most. We could take on free speech and civil liberties issues at home and across the world. We could be investigating and taking a look at these real threats of domestic terrorism and civil unrest. We could be making sure that our constituents' lives are better, but instead, we are focusing today on Twitter. The American people deserve better. I yield back my time to Mr. Raskin.

Mr. RASKIN. Thank you very much, Mr. Casar. Let's go back to this point about the Russian disinformation campaign. And just to refresh everybody's recollection, Mr. Roth, you learned, was it before 2016 or after 2016 that Vladimir Putin had commanded an entire campaign to try to invade the American election with social media messages on Twitter, Facebook, and so on? Was that before the election you learned or after?

Mr. ROTH. Well, there was some public discussion of it before the election. Most of the confirmed information was only declassified after Election Day.

Mr. RASKIN. OK. So, there was this powerful, massive campaign unleashed by a malign foreign actor interested in undermining American democracy with a specific electoral objective, right? Did you find that? Was he just trying to create chaos, or did he want to put the thumb on the scale with his intervention for either Hillary Clinton or Donald Trump?

Mr. ROTH. A bit of both, honestly. I think there was a significant amount of the troll activity on social media, in particular, that wasn't tilted one way or the other. It played both sides, and it played them off of each other, and I think that is bad for America and it is bad for democracy. I think the hack-and-leak campaign was a bit more skewed because that focused very specifically on the DNC and on John Podesta.

Mr. RASKIN. OK. And so, the hack-and-leak campaign against the DNC and Hillary Clinton was one meant to damage Hillary Clinton's campaign. Is that right?

Mr. ROTH. That is what most research concludes was the objective, yes.

Mr. RASKIN. All right. So, some people were suggesting that if the U.S. Government finds out about a malign foreign influence, disinformation, or propaganda campaign in our elections at any level, the government shouldn't say anything to the public or the news media about it. Well, what do you think about that proposition?

Mr. ROTH. I believe that would be a profound failure. I think there is a collective responsibility across the private sector and the public sector to address our shared threats, and Russian interference in American democracy is one of those shared threats.

Mr. RASKIN. OK. And Ms. Gadde, do you agree with that?

Ms. GADDE. Yes, I do.

Mr. RASKIN. OK. And just back to you, Ms. Navaroli, for a moment. Did you follow the attempt to overthrow the official election result in Brazil?

Ms. NAVAROLI. I was not working at Twitter at the time, but I paid attention to the news, yes.

Mr. RASKIN. OK. And were you struck by any of the resemblances between what happened in Brazil and what happened here on January 6?

Ms. NAVAROLI. Yes. It was the exact same playbook that was played on January 6 in which a ruling party claims that an election was stolen and that misinformation continued to spread and lead to political violence.

Mr. RASKIN. Thank you. I yield back, Mr. Chairman.

Chairman COMER. The Chair recognizes Mr. Fallon for five minutes.

Mr. FALLON. Thank you, Mr. Chairman. You know, if there is ever a time where our government becomes the sole arbiter of truth, then we have lost the United States. Twitter has become the virtual town square. It now has the power to transform public opinion like no other medium in history, with their algorithms shaping and molding the public mind to their own ends. Mr. Roth, to the best of your knowledge, what percentage of your colleagues, when you worked at Twitter, donated to Democratic causes or candidates in 2020?

Mr. ROTH. I don't know, sir.

Mr. FALLON. We have it here. It was 98.4 percent of Twitter employees gave to Democratic candidates or causes in the 2020 election cycle. And believe it or not, those numbers actually went up in the 2022 cycle to 99.7 percent of Twitter employees donating to Democratic candidates and causes, so clearly Twitter as a whole

had a political bias. Mr. Roth, do you personally think that you have a political bias, and did you have one when you worked at Twitter, a personal political bias?

Mr. ROTH. No, sir.

Mr. FALLON. You didn't. That is remarkable because it is pretty obvious you did have strong biases when you compared, ironically, using Twitter, people that worked in that Trump White House to Nazis. They were good folks that you simply disagreed with politically in our representative republic. And you compared them to the most evil people on the planet that murdered 60 million people, or at least were responsible for those deaths. You think that was a little bit hyperbolic?

Mr. ROTH. Yes, I do. As I said, I regret the language—

Mr. FALLON. Yes, I agree. I agree with you. It was, and so your political opinion spilled over into censorship work at Twitter. I think your bias has had consequences, which you intentionally expressed through your propaganda and censorship role at Twitter. Additionally, you may have collaborated with U.S. intelligence community regarding stories that you all didn't want the public to see, so namely, what we refer to is the Hunter Biden laptop story that ran in the *New York Post*. So, I will ask you, Mr. Roth. Did you receive 10 confidential documents from special agent of the FBI, Elvis Chan, the night before the Hunter Biden laptop story ran?

Mr. ROTH. Yes.

Mr. FALLON. You did. See, because it is interesting. The immediacy with which you all acted to censor the *New York Post* Hunter Biden laptop story seems to be very indicative of foreknowledge. Then the story was seismic, and it was rushed to be suppressed knowing full well it was not Russian disinformation as some here said. It was truth that was denied the American voter. And the Media Research Center polled Democratic voters in 2020 swing states and found that 70 percent would have changed their vote if they had known the contents and evidence of the *New York Post* story. President Trump lost key states—Georgia, Pennsylvania, Arizona and Wisconsin—by collectively just over 100,000 votes. And if this is accurate, this poll, 3.2 million votes could have swung, and he only needed a teeny fraction of those 3.2 million. That decision almost certainly changed the result of the 2020 Presidential election. Did you have any idea of the contents of the *New York Post* story, Mr. Roth?

Mr. ROTH. Only what I read in the *New York Post* that day.

Mr. FALLON. And then it was killed by Twitter, and the mainstream media followed. So, I find this interesting, in 2019 candidate for President Joe Biden said, "I have never spoken to my son about his overseas business dealings." And yet, the evidence in that story and on that laptop revealed that two of Hunter's Mexican business associates, Miguel Magnani and Miguel Velasco, visited the White House in February 2014, and he was later photographed. Joe Biden was photographed with them at the White House.

Also, on October 2015, Hunter arranged a video conference with his dad, Joe Biden, sitting Vice President, and Carlos Slim, the Mexican billionaire. And then, unbelievably, in 2015, Hunter introduced his father, then Vice President, to Vadym Pozharsky, an ex-

ecutive at the now infamous Burisma Holdings company where Hunter would later magically make millions as a board member, despite having no experience whatsoever in the energy sector.

Joe Biden lied. He created the firewall and then he was exposed because of this story and other information. He lied to the American people, and, Mr. Roth, you withheld information on the eve of a Presidential election, and you protected that lie. And I hope for the sake of the country that men like you that do those things, men and women, never get to put in such positions of power again.

Mr. JORDAN. Would the gentleman yield?

And, Mr. Chairman, I would like to ask unanimous consent to enter into the record a tweet from Ranking Member Raskin. The tweet reads, "It is horrifying to see images of Border Patrol agents whipping Haitian refugees at the Texas border. Not exactly the feeling I get from the"——

Chairman COMER. Without objection, so ordered.

Mr. FALLON. Thank you. I yield back.

Chairman COMER. Does the gentleman yield back? Does the gentleman yield?

Mr. FALLON. Well, I just think that is misinformation or at least it was a mistake, and Twitter left it up for a week, or not a week, a year. A full year.

Mr. JORDAN. Does the gentleman yield?

Mr. FALLON. I yield.

Mr. JORDAN. Mr. Baker, in the top of page two in your written testimony, you said, "I did not destroy or improperly suppress"——

Mr. RASKIN. Whose time is this?

Mr. JORDAN [continuing]. "Any documents at Twitter regarding information important to the public dialog." The way you worded that, it sounds like there is some——

Voice. Mr. Chairman, how much extra time is he going to get during this hearing? He finished the question——

Chairman COMER. He had time. Let him repeat the question, and then his time will be expired.

Voice. It expired before he started.

Mrs. LUNA. Clearly, it is up to the Chairman, so why don't you let him answer?

Mr. JORDAN. Mr. Baker, on top of page two of your written testimony, you said, "I did not destroy or improperly suppress any documents at Twitter regarding information important to the public dialog." The use of the term "improperly suppressed" suggests there was some kind of suppression done in a proper way. I just want to know what that was, and is this referring to your work at Twitter when the Twitter Files were first released just a few months ago?

Mr. BAKER. Unfortunately, sir, I think I am constrained from answering that question any more fully than in my testimony because of attorney-client privilege. So, unfortunately, I am just going to have to leave it at that.

Mr. JORDAN. I thought that has been waived.

Mr. BAKER. Not the privilege. Not the privilege. The nondisclosure agreement, my understanding has been waived, but not the attorney-client privilege.

Mr. JORDAN. I understand.



Chairman COMER. The gentleman's time has expired.

Mr. BAKER. I do not have anything in writing to indicate that Twitter has waived privilege with respect to that matter.

Chairman COMER. The Chair recognizes Ms. Crockett for—

Ms. CROCKETT. Thank you, Mr. Chair. MAGA Republicans Can't Let go. That should be the name of this hearing. I am glad that seemingly we have now accepted that President Joe Biden won the election even though now we are blaming President Trump's loss on Twitter. Can we finally let it go? This is why Democrats are reinforcing that in this hearing we should be talking about the threats to our democracy. That is the real threat, not an old article that seemingly couldn't reach the viewership it sought through its own platform to disparage an attempt to skew the election in favor of a twice impeached former President who lost a secure and fair election.

As a Texan who served in the House and fled the state as MAGA Republicans there pushed an agenda just as insidious as the foreign interference we experienced in the 2016 election, we should be talking about what they don't want to talk about as they continue to cut you off as you try to talk about things such as interfering with our democracy and how there has been an inciting of political violence against individuals as well as our democracy as a whole.

We are supposed to live in the land of the free, and when some people are afraid of losing power, they engage in conspiracy theories and distractions such as Joe Biden, a candidate at the time, not a government actor at the time, colluded with social media to win. So, let me say thank you for showing up for this political theater. Unfortunately, the American people deserve better of its leaders. They deserve a robust conversation around the very real and very present threats to our democracy, the greatest democracy in this world.

So, with that being said, let me be clear. I believe that there has been testimony previously by Ms. Navaroli—I hope I am not just killing your name right now—at some point, you stated, if January 6 and anything like it, that language, “If we would have seen that happen in any other country, with any other leader, Twitter would have acted completely differently.” It is my understanding from this statement, and correct me if I am wrong, that you almost felt as if Trump was treated differently, in fact, that you may have been of the impression that he was treated with more difference than other world leaders. Is that true?

Ms. NAVAROLI. Yes. As I testified earlier today, Twitter bent and broke its own rules in order to protect dangerous speech, like the tweets that were directed toward Representative Ocasio-Cortez.

Ms. CROCKETT. And when we talk about bending, it is my understanding from another deposition that there were actual alarms that would go off if someone would access Trump's Twitter account other than, I believe, the CEO.

Ms. NAVAROLI. It was my understanding that alarms would ring within Twitter if the account was accessed outside of a select group of individuals who had access to that account.

Ms. CROCKETT. Are you aware of this being an ongoing practice for other individuals' Twitter accounts?

Ms. NAVAROLI. At my time at Twitter, the former President Donald Trump's account was the only account that I did not have access to.

Ms. CROCKETT. OK. So, we know that there weren't individual actors running around Twitter setting off alarms every other day. Is that correct?

Ms. NAVAROLI. Not to my knowledge, no.

Ms. CROCKETT. OK. Now, as we talk about January 6, because I think that is the only thing we should be talking about —what I want to talk about, and anyone can answer this question, did you see a correlation between a rise in homegrown domestic white supremacy online, as it correlates to leading up to January 6?

Ms. NAVAROLI. I can answer that. So, some of the things that we were seeing specifically on Twitter related to white supremacy fan-fiction. I mentioned earlier in my testimony that we saw things like people wishing that "The Day of the Rope" would occur. That comes from things like "The Turner Diaries," which are, again, white supremacy fan-fiction.

Ms. CROCKETT. You would also agree with me that it was clear that white extremists were seemingly triggered and activated to take action against our very democracy here at home by some of the activity that was going on, on Twitter, correct?

Ms. NAVAROLI. Yes, I believe so.

Ms. CROCKETT. Now, just to make sure that we can summarize what we allegedly are here to talk about, you all would agree with me when I say that there was no physical damage or destruction to structures, limb or life, as it relates to this article, yet we do know that there was actual harm, physical harm as well as destruction that occurred as a result of January 6, correct?

Ms. NAVAROLI. Yes. People died on January 6.

Ms. CROCKETT. Thank you. With that, I will yield the remainder of my time to Chairman Raskin, or Ranking Leader Raskin.

Mr. RASKIN. Thank you. Mr. Chairman, I would just use the second to ask unanimous consent to submit for the record an extraordinary article just published called, "Twitter Kept Entire Data base of Republican Requests to Censor Posts," published on February 8, that was just published by *Rolling Stone*. So, for everybody's reading enjoyment, if people think it was biased against conservatives, this would lead us to believe it was definitely biased against liberals and progressives.

Chairman COMER. I didn't have you pegged for a *Rolling Stone* reader, but without objection, so ordered.

Chairman COMER. The Chair recognizes Mr. Grothman.

Mr. GROTHMAN. First of all, just a comment. When we talk about the Pledge of Allegiance, one of the lines in there is "to the Republic for which we stand." Ben Franklin, when he was asked about our Constitution, he said, "We give you a republic, if you can keep it," just two lines that maybe some people around here haven't heard. Now, this is kind of little story for the three of you on the left here. In January 2021, the Christian magazine, called *The Daily Citizen*, tweeted about President-elect Joe Biden's announcement that Dr. Rachel Levine was his nominee for assistant secretary of health. They commented that Dr. Levine is a transgender

woman. This was banned from Twitter. Are you familiar with this story?

Mr. BAKER. I am not familiar with it, sir.

Mr. GROTHMAN. Do you have any reason why it would have been banned?

[No response.]

Mr. GROTHMAN. OK. There are local talk radio hosts in my area, well-known media hosts out of the Madison/Milwaukee/Green Bay media market widely listened to. They were shadow-banned on Twitter. There are some very prominent doctors in the area that didn't agree perhaps with everything CDC or NIH said that were banned on Twitter. I would like you to comment on that because, you know, normally I think when people make a major health decision, they always like to get two separate opinions. And some of these doctors are wildly well respected, probably two of the most prominent doctors in Wisconsin, I thought outside the mainstream, and I think for thinking outside the mainstream, they were taken off your platform. Could you comment on why you would take somebody off a platform or why a distinguished doctor would be considered something that the public as a whole couldn't hear their version of events?

[No response.]

Mr. GROTHMAN. No, you are not aware that anybody, any doctors who commented outside the mainstream version of what was going on with COVID, going on with the vaccine, going on with treatments, that there were people who disagreed with the NIH recommendations and you took them off of Twitter. You are not familiar with that?

[No response.]

Mr. GROTHMAN. None of you are familiar with that?

[No response.]

Mr. GROTHMAN. I will yield some time to Jim Jordan then.

Mr. JORDAN. I thank the gentleman for yielding. Mr. Baker, Mr. Roth earlier said he thought it was a waste of time for the FBI to be sending you accounts that they thought violated Twitter's terms of services and Twitter's policy. I was just curious. Did you ever tell Twitter executives or FBI acquaintances that the FBI had no legitimate interest in enforcement of Twitter's policy?

Mr. BAKER. Sir, again, I am going to give you the same answer I gave before. I think the advice that I was giving internally to folks would be covered by the attorney-client privilege, and as—

Chairman COMER. Let me stop. Mr. Baker, although you are testifying today by subpoena, you nonetheless have raised attorney-client privilege to avoid answering this Committee's question. Congress does not recognize the common law attorney-client privilege. With that, I am going to allow Mr. Jordan to ask the question again.

Mr. JORDAN. Well, there has been two questions I have asked that he has refused to answer. So let me, if I could, Mr. Chairman—

Chairman COMER. Proceed.

Mr. JORDAN [continuing]. I will ask both again. I will go back to the one asked a couple minutes ago. Top of page two of your testimony, you said, "I did not destroy or improperly suppress any docu-

ments at Twitter regarding information important to the public dialog.” I would like to know what you are referring to that, you, in your mind, properly suppressed, and when that took place, specifically if it took place during the time that the Twitter Files were first being released just a few months ago?

Mr. BAKER. Again, sir, I think we have notified the Committee, and we have had these conversations with Twitter as well to try to resolve this issue prior to coming up here today. I don’t have anything in writing that clears me in my ethical responsibilities to my former client with respect to answering questions that I think fall squarely within the attorney-client privilege. So, unfortunately, I don’t think I can go beyond what I have said there already, sir.

Chairman COMER. Unfortunately, Mr. Baker, your assertion that the attorney-client privilege, it is overruled as to this particular question and answer. So, would you please answer the question by Mr. Jordan?

Mr. RASKIN. And a point of order, Mr. Chairman.

Chairman COMER. State your point?

Mr. RASKIN. Well, as I understand it, because we just went through this in the January 6th Committee where multiple witnesses asserted attorney-client privilege, including people who weren’t covered by it at all, ultimately, that is for a court to decide. So, I don’t think there is anything we can do within this Committee at this point, unless I am missing something.

Chairman COMER. We will give you one more chance to answer the question. If you don’t answer it, then we will have to deal with it after the Committee hearing. Mr. Baker, could you answer the question?

Mr. BAKER. Yes, sir. I apologize, but I believe I have ethical responsibilities to my former client, and I don’t think I can go beyond what I have said already, unfortunately.

Mr. JORDAN. Mr. Baker, you did suppress documents then that, in your language, was important to the public dialog?

Chairman COMER. I am going to give you an extra minute, Mr. Goldman. You are next.

Mr. GOLDMAN. Oh, thank you very much.

Mr. BAKER. I am sorry, sir. Could you repeat the question?

Mr. JORDAN. Again, going on your written testimony. So, you did suppress documents at Twitter regarding information that was important to the public dialog? That is a “yes” or “no.”

Mr. BAKER. I am going to answer the question with the following sentence, which is right after that: “At all times I sought to help my client understand and comply with its legal obligations.”

Chairman COMER. OK. The gentleman’s time has expired. I recognize Mr. Goldman for six minutes.

Mr. GOLDMAN. Thank you, Mr. Chairman. I understand that Mr. Palmer was asking some questions about some of my assertions about the removal of the Ukrainian prosecutor general. First, let’s be clear. I did not say that Vice President Biden fired Mr. Shokin. It was official U.S. and European policy to encourage Ukraine to fire him, which they did. But he is right about one thing. What I say is not evidence, and neither is what any of our Republican colleagues say on the other side of the aisle. They may not like what

these witnesses say, but the testimony of the witnesses is the evidence, not baseless statements without firsthand knowledge.

But I urge Mr. Palmer, if he wants to understand what actually happened, to read the 300-page report that we published on the first impeachment investigation. There is a lot in there about Mr. Shokin. Luckily, though, he doesn't even have to do that. You can just read the *New York Post* story itself because in that story Shokin admitted that he never opened an investigation into Burisma. He claims to have had "specific plans to do so." Yes, sure.

For two years, Rudy Giuliani had been peddling Viktor Shokin's bogus story, including with agents of Russian intelligence, and, Chairman Comer, if you question that, I urge you to look up Andrii Derkach. So, who was the sole source of the hard drive to the *New York Post*? Rudy Giuliani, and for these reasons, many journalists were highly skeptical. One reporter at the *New York Post* itself refused to put his name on the story. Fox News' Bret Baier said, "The whole thing is sketchy," and both Giuliani and the *Post* refused to give the laptop to other journalists to verify and analyze it. In fact, Giuliani told *The New York Times* that he hoped that it would be published before it could be verified.

So, what is the so-called authentication for this laptop? Well, Chairman Comer said in his opening statement that it is a subpoena to the computer repair shop owner, which happened over about a year before the *New York Post* story. But that is not the same hard drive that Rudy Giuliani received months later from that repair shop owner and passed along to the *New York Post* after he was in possession of it for several months.

Now, Mr. Baker, based on your understanding of Russian malign influence campaigns, does Russian intelligence have the capacity to manipulate a hard drive?

Mr. BAKER. Yes.

Mr. GOLDMAN. So, it is possible that some of the materials on a hard drive could be authentic, and some could be altered, manipulated, or even added to the hard drive. Is that right?

Mr. BAKER. I believe so, yes.

Mr. GOLDMAN. Mr. Roth, you have testified today that Twitter was keenly aware of the hacking efforts by Russia in connection with the 2016 election, is that right?

Mr. ROTH. Yes, sir.

Mr. GOLDMAN. And those efforts, I believe you said, and correct me if I am wrong, by Russian intelligence to interfere in our electoral process continued up through and including the 2020 election. Is that right?

Mr. ROTH. Russian efforts certainly continued through the 2020 election and even through the midterms. I couldn't say specifically if it was military intelligence as was the case in 2016, but certainly the Russian Government was involved.

Mr. GOLDMAN. So, let's run down what Twitter knew about this hard drive and this story when it was published. First, the sole source of the hard drive was Rudy Giuliani, who had been working closely with Russian intelligence agents throughout 2022. Second, Russian intelligence interfered in the 2016 election and was actively trying to do it again, and third, numerous journalists, including at the *New York Post* and Fox News, raised suspicions about

the hard drive, and they refused to allow an independent analysis and verification of it. Now, Mr. Baker, based on your experience in law enforcement, wouldn't this give anyone concerned about Russian interference in our elections serious pause?

Mr. BAKER. Well, I think, as reflected in the public record, at the time I thought there were great concerns on that side of the equation because, in part, with respect to all the things that had happened since 2016 with respect to the hack-and-leak, or hack-and-dump issues. There were facts that indicated that the computer might have been abandoned and so on, which made it a very difficult case, which is why we are sitting here today talking about it.

Mr. GOLDMAN. Right, and there was a 24-hour delay in continuing to spread the publication of it. Isn't that right?

Mr. BAKER. Yes.

Mr. GOLDMAN. OK. You know, that is exactly what 51 former intelligence officials, many from Republican administrations, even the Trump Administration, said in that letter that is being distorted by Mr. Jordan and others at this hearing. Let me quote one paragraph of what they say: "We want to emphasize that we do not know if the emails provided to the *New York Post* by President Trump's personal attorney Rudy Giuliani are genuine or not and that we do not have evidence of Russian involvement, just that our experience makes us deeply suspicious that the Russian Government played a significant role in this case." And unless Twitter, like Special Counsel Mueller concluded about the Trump campaign in 2016, wanted to welcome Russian interference in an election, all of you sitting here today were entirely correct to be highly concerned about the legitimacy of this story. I yield back.

Chairman COMER. The Chair recognizes Mr. Higgins for five.

Mr. HIGGINS. Thank you, Mr. Chairman. I am going to be yielding some time to my colleague, Mr. Jordan, here momentarily. But for the record, Mr. Baker, Ms. Gadde, Mr. Roth, Ms. Navaroli, are you here under the advice of counsel, and do you have counsel present?

Mr. BAKER. Yes, sir.

Mr. HIGGINS. That was a yes?

Mr. BAKER. Yes, sir.

Ms. GADDE. Yes, sir.

Mr. ROTH. Yes, I do.

Ms. NAVAROLI. Yes, I was subpoenaed to appear.

Mr. HIGGINS. That is good to know. I am glad you all have counsel present. Mr. Chairman, for the submission for the record I would like consent to submit the Twitter Files, dated December the 8th, posted by the *New York Post* regarding the suppression of conservative commentators. I would like that submitted.

Chairman COMER. Without objection, so ordered.

Mr. HIGGINS. Mr. Chairman, thank you. I would like to also submit for the record a timeline of events with cited sources outlining strong evidence of the Biden family organized criminal actions that would certainly indicate that we have crossed the threshold of reasonable suspicion. I would like this timeline submitted for the record.

Mr. RASKIN. Excuse me, Mr. Chairman. Where is that from, that timeline?

Mr. HIGGINS. The timeline in my hand? I will get it to you shortly.

Chairman COMER. Without objection.

Mr. HIGGINS. Bottom line is that the FBI had the Biden crime family laptop for a year. They knew it was leaking. They knew it would hurt the Biden campaign. So, the FBI used its relationship with Twitter to suppress criminal evidence being revealed about Joe Biden one month before the 2020 elections. You ladies and gentlemen interfered with the United States of America 2020 Presidential election, knowingly and willingly. That is the bad news. It is going to get worse because this is the investigation part. Later comes the arrest part. Your attorneys are familiar with that.

Mr. Chairman, I would like to spend five hours with these ladies and gentlemen doing depositions, surely yet to come, but for right now I yield the balance of my time to my colleague, Mr. Jordan.

Mr. JORDAN. I thank the gentleman for yielding. I think he made the right point, and I would just respond to our colleague from New York. You know, who knew the laptop was real? It was the FBI. They had it for, or maybe they had it for a year and just said, you know what, we are going to put it on the shelf, we are not going to look at it, but if anyone knows it is real, it is them. That is why I asked the question. Again, back to my colleague from New York when he was talking about it, that is why I asked the question earlier. I said, did anyone at the FBI or Mr. Baker know. Did Mr. Baker talk to any of those 51 former intel officials who sent the letter saying this has all the classic earmarks of a Russian misinformation operation? Maybe they could have checked with the FBI because the FBI had the actual laptop in their possession. So, I appreciate the gentleman from Louisiana. I think it is a great point that he made.

Mr. Roth, I am going to come back to you on something we were at a few hours ago, and we are talking about this visibility filtering, which, in my mind, I understand to be something short of suspending and blocking the account which the user then knows has happened because there is a notification in a public way, like you did to Ms. Greene when you suspended her account. But there are other things, this search blacklist, that do not amplify that some kind of filtering that account that the user doesn't know about. And I asked the question earlier was there any bit of this visibility filtering that was hard-coded by Twitter employees into the account of specific users, and you hesitated for a while, and you said, well, you wouldn't use the term "hard-coded," "but it seemed to me like something like that went on." Can you elaborate?

Mr. ROTH. Thank you for the question. Twitter's visibility filtering system, as has been reported in the Twitter Files, is based on applying labels to user accounts. And so, in that sense, if the application of a label is what you meant by hard-coded, yes, Twitter's systems did apply those designations to those accounts, but it was seldom the case that Twitter staff would manually individually go in and apply those labels directly to a specific account.

Mr. JORDAN. Were those labels and, therefore, that filtering done to any government officials, any elected officials where the user wouldn't know about?

Mr. ROTH. I don't know, sir. I didn't have access to my Twitter computer to any Twitter systems to prepare me to answer that question, so I—

Mr. JORDAN. I am just talking to your time there. In your experience there, do you know if that happened?

Mr. ROTH. It would not surprise me to know that visibility filtering labels had been applied to the accounts of elected officials.

Mr. JORDAN. So, visibility-filtered labels apply to the accounts, but the user doesn't know.

Mr. ROTH. Yes, so it was not Twitter's practice to notify users of the—

Mr. JORDAN. But you think that happened to elected officials and government officials?

Mr. ROTH. Again, I couldn't say for sure.

Mr. JORDAN. I appreciate it. I yield back.

Chairman COMER. The Chair recognizes Mr. Mfume for five minutes.

Mr. MFUME. Well, Mr. Chairman, it has been a long morning and afternoon, and at this point in time, there is an adage that says, everything that can be said has been said, except that not everyone has said it. So, if you will indulge me for a few minutes, I would just like to reflect on some observations having sat here and gone through this. And I am hoping and praying that this is not a problem in search of a solution because we are dedicating an awful amount of time here, and I don't want a few things to escape us.

But having said that, I want to first associate myself with the remarks of Mr. Raskin, the Ranking Chair, his opening remarks, succinctly, I think, encapsulated, and put in place what many of us on this side of the aisle are feeling. And I also, as a point of personal privilege, would like to just express how many of us share the concern of the gentlewoman from South Carolina who indicated to her ongoing medical condition which she said she might have to live with the rest of her life. That just got me for a moment, and I wanted to make sure that that is on the record.

Now, I disassociate myself with her remarks when she said, as did the gentlewoman from Georgia, "God bless Elon Musk," and for me it is God bless my country, God bless my family, God bless my friends. Mr. Musk can take care of himself. I would also caution, if I might, all of us, but particularly the gentleman from South Carolina who said earlier that there is proof that Hunter Biden committed multiple felonies. The gentleman said that without offering anything for the record. And I know we are all covered by congressional immunity in terms of when we are on the floor and when we are in these committees, but sometimes we probably do not want to feed into hot rhetoric. I mean, we campaign in that kind of poetry, but we are elected to govern in prose, and when you do that, there is a different sense of responsibility that goes with all of us.

Mr. Roth, I listened to you, and I feel bad that you were attacked, and, you know, you had to sell your home. You had to move your family. And I just want to remind you and remind myself that



there are Members of this Committee who are also always under attack because of their race, or because of their surname, or because of their political affiliation. That kind of reckless incitement, I think, is best dealt with when you have content moderation. Otherwise, we gin up the rhetoric, the people who can't control themselves oftentimes don't, and then we see violence occurring against, whether it is Members of Congress through threats, or persons like yourself in the private sector.

Ms. Navaroli, you in your testimony stated that on the morning of January the 6, that you sent lawyers a message warning them that your team was hamstrung by leadership. And two days later, when it looked like that might happen again, you asked management whether or not they wanted more blood on their hands. What was their response, and what did they do?

Ms. NAVAROLI. Yes, thank you for that question. On the morning of January 6, I did send that message to a Twitter lawyer specifically because I believed that Twitter was going to be facing liability for what was going to occur that day. I do not remember their exact response, but I do remember a response of confirming that the information had been received. Would you repeat the second question that you asked?

Mr. MFUME. I wanted to know what was their response. What did they do?

Ms. NAVAROLI. Nothing.

Mr. MFUME. OK. You went on to say that in January 2020, after the United States assassinated an Iranian general, that the President at that time, Mr. Trump, decided to justify it on Twitter, and management literally instructed you to make sure that we were not about to start World War III on that platform. Is that correct?

Ms. NAVAROLI. Yes, that did occur.

Mr. MFUME. And what happened after that?

Ms. NAVAROLI. It was up to me and my team to create what we called enforcement guidance, so a document that explained how we would apply our policies specifically related to content moderation in that specific instance. I believe the document was relating to foreign policy discourse.

Mr. MFUME. So, my point here about content moderation on the front end prevents some of the crazy things we see on the back end. Mr. Chairman, I have from the Anti-Defamation League their latest report on murder and extremism in the United States, oftentimes fueled by the lack of content moderation, and I would ask unanimous consent to be entered into the record. And I also have the National Threat Assessment done by the Secret Service of our country. This was just released, and it talks about how 25 percent of all of these acts are being conducted by people who are not moderated, but who, in fact, end up breaking the law and threatening the lives of people. And I would ask unanimous consent that also be—

Chairman COMER. Without objection, so ordered.

Mr. MFUME. Thank you, sir.

Chairman COMER. The Chair recognizes Mr. Sessions for five minutes.

Mr. SESSIONS. Mr. Chairman, thank you very much. So, I will say God bless Elon Musk because I think I feel that way. It was

Elon Musk that revealed data that uncovered a disturbing cabal. Let's be clear. We are here today because Twitter got caught, not because people want to admit mistakes got made, or perhaps because they got bought. If not for the Twitter Files released by Mr. Elon Musk, this activity we are discussing today would still be going on. It is no secret that the political bias of Twitter and their previous leadership bled into politics and merged that with practices of the company, and that is a big concern.

But a bigger concern is where our government on a political basis by law enforcement becomes engaged in things that a timeline would show were not truthful. That is the concern. The fact that Twitter was working hand-in-glove with the Federal Bureau of Investigation and the intelligence community to suppress free speech and things that were not true is disturbing. That is why we are here today.

So, Mr. Roth, I would engage you, if I could, for a minute. By the way, I want to compliment all four of you. You have been here all day. This is hard to do. You have kept your cool. To the best of your ability, you are expressing honesty. I admire that. Mr. Roth, can you please tell me about the meetings with the FBI? How many? Where did they take place? How do they accomplish what they wanted?

Mr. ROTH. Thank you for the question.

Mr. SESSIONS. Yes, sir.

Mr. ROTH. Twitter met with the FBI, I would estimate, several dozen times over the course of multiple years. These meetings happened in person, in the Twitter office, in the offices of other technology companies, and at times, they happened virtually. We issued press releases about these meetings. They were not happening in secret. They were not anything that the public sector or the private sector strove to hide from anybody. But in these meetings, we used it as an opportunity to discuss the shared threats of foreign malign interference, to discuss the preparations that the public and private sector were implementing, and to use that as an opportunity to make sure that we were having open channels of communication about those malign interference threats.

Mr. SESSIONS. Mr. Roth, did you at any time believe that the Bureau might not be honest about the things they knew and the information that they shared and passed to you?

Mr. ROTH. I would say I have a personal healthy skepticism about any type of law enforcement, but no, it was never my experience that representatives of the FBI were anything but forthright in those discussions.

Mr. SESSIONS. Do you believe that they, today and looking back, misled you?

Mr. ROTH. I don't believe so, no.

Mr. SESSIONS. So, you believe that the things which they told you, and looking back, are truthful even today?

Mr. ROTH. To the best of my recollection, yes.

Mr. SESSIONS. So, the chance for FBI numerous times, dozens of times to meet with you, did you put out information of the substance when you said you provided the public with information? Did you discuss what those meetings were about?

Mr. ROTH. I believe the public statements were fairly high level and talked about preparations for upcoming elections in the United States. Any internal records or meeting minutes would be on my Twitter computer, which I don't have access to.

Mr. SESSIONS. And does that reside, to the best of your knowledge, currently at Twitter?

Mr. ROTH. Yes, sir. I have returned all Twitter property to the company when I chose to leave.

Mr. SESSIONS. Yes, and that would be a requirement, generally speaking.

Mr. ROTH. Yes.

Mr. SESSIONS. So, you believe that the Bureau met with you, they did not mislead you, that you were as forthright as you could be to the public, and that you were playing the role that you felt like was responsible. Is that your testimony today?

Mr. ROTH. Yes, sir, it is.

Mr. SESSIONS. Thank you very much, Mr. Chairman. I yield back.

Chairman COMER. The gentleman yields back.

Mr. MOSKOWITZ. Thank you, Mr. Chairman. You know, I am beginning to feel like a little bad for the Majority. Like, I just feel guilty because you guys have come today to try to prove that the Biden Administration, in coordination with Twitter, is impugning free speech, and the problem is, is that Donald Trump, he is just this thing that hangs around your neck because at every turn he undermines whatever credibility you want to have on this subject.

I mean, Donald Trump and his Administration, it has been proven, reached out to Twitter to take down tweets that got under his skin. The tough guy, Donald Trump, right? He got called the "B" word. Let's reach out to Twitter. Let's get the tweet taken down. You guys have no credibility. You have none. Your own guy taking free speech off of Twitter. You know, I also don't understand this bipolar thing that you are doing with Joe Biden. So, every day you guys tweet out Joe Biden is boring. He is sleepy. Every day you say it on TV. Now you want to tell the American people Joe Biden is an international super mastermind along with his son Hunter. I mean, it is just bananas.

You know, the Trump family is getting billions of dollars of loans from foreign governments by using their White House relationships. Any questions? Any questions on that? No, I didn't think so. You want to know if the Trump family made any money selling PPE during the pandemic out of the West Wing? Any questions about that? No, I didn't think so.

But let's move on to Hunter Biden's laptop. Your leaker, I always love this by the way, you guys are against leakers unless they are leaking things you like. Your leaker, Matt Isaac, and I love it, you know. Have you seen this guy? I mean, he is like a RadioShack-dot-Matrix guy who copied files off a private citizen's hard drive, OK? That is who your entire theory is based off of, but I want to use his words.

This is his own words, your guy, your leaker, the guy who gave you the information. "There have been several attempts by several individuals to modify and insert fake data. I do know there has been multiple attempts over the past year-and-a-half to insert

questionable material into the laptop to pass off information or disinformation as coming from the laptop.” He continued. “This is a major concern of mine because I fought tooth and nail to protect the integrity of the drive, and to jeopardize that is going to mean everything I sacrificed will be for nothing.” Your guy, your leaker questioning the integrity of the information you guys are peddling. By the way, why isn’t he here? Bring him here. Let’s ask him questions. And why haven’t we seen the hard drive? You guys aren’t shy. Why won’t you show it to the American people?

Let’s talk about Twitter. Let’s talk about God bless Elon Musk. See these? God bless the guy who is allowing Nazis and anti-Semitism to perpetrate Twitter. We’re in a 66-percent increase of anti-Semitism on Twitter since Elon Musk set it free. Mr. Chairman, I agree with you. It is not fair to say all conservatives are Nazis. That is preposterous. That is not true. But your Lord and Savior Donald Trump is having tea and dinner with them at Mar-a-Lago. Nick Fuentes right here, who is a picture that is tweeted at me all the time, saying Jews are a virus in response to my tweets, Donald Trump is having dinner with him, Nazis at Mar-a-Lago.

And so, no, not all Republicans are Nazis, but I got to tell you, Nazis seem really comfortable with Donald Trump. So, I have questions about that, Mr. Chairman. Why is that? Why do I get these tweets? Let us talk about Kanye West, right, the Chairman of the Judiciary Committee for three months praising Kanye West. We love Kanye, right? A Nazi, clearly now. It took months for that tweet to come down. How come? I mean, these are things I would love to know. Is it because maybe they are your voters? I mean, they certainly aren’t voting for me. I yield back.

Chairman COMER. The Chair recognizes Mr. Langworthy for five minutes.

Mr. LANGWORTHY. Thank you, Mr. Chairman. The Twitter files revealed the unrestricted power and censorship regularly exercised by the three witnesses in front of us today, Mr. Roth, Ms. Gadde, and Mr. Baker. Now, Ms. Navaroli, in your opening, you stated that too few people in companies have too much power. Well, I think you are right. The witnesses here today, they had too much power at Twitter, and they tried to play the role of God as they interfered with the natural right of the people to a free and fair election. Twitter knowingly suspended the *New York Post’s* account, one of the most reliable conservative voices in the country, in fear that an honest story would swing the most divisive election in American history into the hands of their enemy, former President Donald Trump.

Now, Mr. Roth, you were part of the secretive SIP-PES censorship team at Twitter, correct?

Mr. ROTH. No, sir. I am not sure what that refers to.

Mr. LANGWORTHY. Mr. Roth, the Twitter files reveal that you rarely adhered to company policy in making your censorship decisions. One reporter from the Twitter files called your group “a high-speed Supreme Court of moderation, issuing content rulings on the fly, often in minutes, based on guesses, gut calls, and even Google searches, in cases even involving the President.” Do you recall making decisions in this manner?

Mr. ROTH. No, I do not.

Mr. LANGWORTHY. Can you explain the process for these quick decisions?

Mr. ROTH. Thank you for the question. I think the core of content moderation, whether it is fast or slow, begins with a written set of rules and policies, and that was the primary responsibility of my group at Twitter. It wasn't about making a one-off decision in the moment. It was about having a written and codified set of laws for the platform that we followed in each instance. In the vast majority of cases, content moderation decisions were not made by me, or by another executive, or even by a member of my direct team. They were made by hundreds of content moderators enforcing those rules again and again and again. The situations in which decisions would be escalated to senior executives were few and far between and largely related to the really hard gray area calls.

Mr. LANGWORTHY. So, Mr. Roth, as part of the "Supreme Court of moderation at Twitter," did you have the final call over political censorship decisions?

Mr. ROTH. No, sir, I did not.

Mr. LANGWORTHY. Then who had the final call on these decisions?

Mr. ROTH. There was a team of people, some of whom are represented on this panel today, others not, who were involved in trying to make these decisions. But a portrayal that any one person held sort of supreme or ultimate authority over these decisions would misrepresent what the process was.

Mr. LANGWORTHY. So, your team labeled high-profile accounts as VITs, standing for "very important tweeters." What was the threshold for being labeled as a VIT?

Mr. ROTH. That is an excellent question for which there is not a consistent answer. I don't think Twitter was particularly well put together on that definition.

Mr. LANGWORTHY. So, was the *New York Post* labeled a VIT?

Mr. ROTH. I believe the *New York Post's* account is verified, and verification conferred some of that status of being a VIT, but, again, the definitions here are a little squishy.

Mr. LANGWORTHY. Now, is it true that the Twitter comms director, Trenton Kennedy, said in regard to the *Post* story, "I am struggling to understand the policy basis for marking this unsafe?"

Mr. ROTH. Yes, it is my understanding that Mr. Kennedy said that.

Mr. LANGWORTHY. Was the *New York Post* story regarding Hunter Biden's laptop marked unsafe regardless of uncertainty?

Mr. ROTH. It is true that Twitter marked links to that story as unsafe in a number of our systems, which resulted in restricting people's ability to tweet it. That was the decision that Twitter reversed 24 hours later.

Mr. LANGWORTHY. Well, it is clear from this panel that too few people had too much power. The *New York Post* Twitter account was suspended in an attempt by Democrats and Big Tech to go ahead and play God and interfere in a natural, free, and fair election and the free flow of information. In this country the censorship is unbounded. The *New York Post* has been a reliable source for decades, including their coverage of the nursing home scandals in New York during the pandemic. Now that you and many others are

gone from the company, there is hope that this platform will once again be a place where voices can be heard and respected, and it can return to be a town hall for all points of view, no matter if you agree with them or not, sir, and that our elections will never again be controlled by Big Tech. I yield back.

Mr. JORDAN. Will the gentleman yield?

Chairman COMER. Will the gentleman yield to Jordan?

Mr. Jordan?

Mr. LANGWORTHY. Yes.

Mr. JORDAN. OK. Thank you.

Mr. ROTH. In Missouri v. Biden, in your declaration to the FEC, you said, “I also learned in these meetings with the government that a hack-and-leak operation would involve Hunter Biden.” Mr. Chan has testified in his deposition in that same case: “In my estimation, we never discussed Hunter Biden specifically with Twitter.” Who told you about Hunter Biden in these meetings?

Chairman COMER. The gentleman’s time has expired, but you can answer the question.

Mr. ROTH. My recollection is that a representative of another tech company may have mentioned it, but those meetings were several years ago. I truly don’t recall.

Chairman COMER. OK. The Chair recognizes Ms. Stansbury for five minutes.

Ms. STANSBURY. Well, thank you, Mr. Chairman, and I want to just start this afternoon by thanking our panelists who have been sitting here all afternoon, and many of the members of the public who are with us. I see a lot of tired faces out there, and I want to thank you all for spending your day with us. But I also want to start out by asking, what are we doing here in this Committee today? Why are we here? Why is this Committee devoting a day-long hearing to a political conspiracy theory that was planted in the media by Rudy Giuliani to support Donald Trump’s reelection campaign?

Of all the topics we could be focused on in this Committee to support the American people—how people are going to put food on their table at the end of the day, how we are going to address the economy, how we are going to address critical issues that are on people’s minds every day—we are devoting an entire day to this conspiracy theory involving Twitter. Now, the mission of this Committee is to root out waste, fraud, and abuse, and to conduct oversight on behalf of the American people. And if you need any evidence of waste, fraud, and abuse, how about the use of this Committee’s precious time, space, and resources to commit to this hearing? You know, I don’t even understand why we are here right now. But I do want to clarify some key facts about what we have heard today, so I am going to get into it for just a few moments.

Ms. Gadde, thank you for being here today. Mr. Baker. You have already stated publicly that Twitter’s handling of this issue was a mistake. Is that correct? “Yes” or “no” is fine.

Ms. GADDE. Yes, that is correct.

Mr. BAKER. I don’t think I have stated that publicly yet, but that is what the CEO of the company said.

Ms. STANSBURY. Yes. And at the time, only weeks before, one of the most consequential elections of our lifetime, in 2020, Twitter

made a decision based on policies put into place to protect the public from political disinformation and from foreign interference. Is that correct, Mr. Roth?

Mr. ROTH. Yes.

Ms. STANSBURY. In fact, the failure of Twitter and other social media companies to moderate political disinformation not only fueled its use in election tampering in 2018 but allowed for election denialism to run rampant in 2020, and that is exactly what led to the insurrection here on January 6 in the Capitol. So, Ms. Navaroli, I want to ask you—thank you for sitting here all day answering these questions—do you believe that Twitter has put into place policies that would adequately protect free speech but also protect the American people from another violent insurrection and the kind of hate speech that we are seeing run rampant right now on the platform?

Ms. NAVAROLI. Thank you for that question. I cannot speak to Twitter's current policies because I have not worked there in quite some time, but I can say that my job at Twitter was to balance free expression and safety. And one of the things that I constantly pushed for was for us to include more analysis within that simple balancing act, and instead of asking just free expression versus safety to say free expression for whom and safety for whom. So, whose free expression are we protecting at the expense of whose safety, and whose safety are we willing to allow to go to the wind so that people can speak freely?

Ms. STANSBURY. Exactly right, because Twitter refused to sanction Donald Trump's account long before it was actually banned when violent rhetoric and other rhetoric was already being used on the platform. And, in fact, since the latest acquisition of Twitter by Elon Musk, the company's Trust and Safety Council, as represented here today, has been dissolved, and the accounts of individuals like Donald Trump who incited violence in the capital have been restored. And we are seeing anti-Semitism, hate speech, dangerous rhetoric, violence being put on Twitter every single day, election tampering, disinformation, violence, the attack on our Capitol. Mr. Chairman, that is what we should be holding oversight hearings on in this Committee.

I have traveled to every corner of my district, and New Mexicans are depending on us to defend our democracy and to ensure that we are holding not only those who are committing waste, fraud, and abuse accountable, but ourselves. So, let's not waste the precious taxpayers' time and dollars holding hearings about Four Seasons' Landscaping-style conspiracy theories, and actually get to work for the American people.

Chairman COMER. Would the gentlelady yield to a question?

Ms. STANSBURY. Mr. Chairman, I yield back.

Chairman COMER. All right. The Chair recognizes Mrs. Boebert for five minutes.

Mrs. BOEBERT. Thank you, Mr. Chairman. Mr. Matt Taibbi, a respected reporter who published much of the Twitter file said, "Twitter's contact with FBI was constant and pervasive as if it were a subsidiary." Now I want to better understand why he would suggest that. Mr. Roth, while at Twitter, how many meetings did you have with the FBI?

Mr. ROTH. I couldn't say for sure, but I——

Mrs. BOEBERT. More than 10?

Mr. ROTH. That is a reasonable estimate.

Mrs. BOEBERT. More than 20?

Mr. ROTH. I couldn't say for sure.

Mrs. BOEBERT. More than 50?

Mr. ROTH. That seems a bit high.

Mrs. BOEBERT. Many meetings with the FBI. Well, how many FBI agents worked at Twitter while you were there?

Mr. ROTH. I don't believe any active FBI agents.

Mrs. BOEBERT. Former FBI agents, how many worked there while you were there?

Mr. ROTH. I am aware of perhaps two.

Mrs. BOEBERT. Well, we know of at least nine because they started the BU group chat, BU for "Bureau." Now, Mr. Roth, did the FBI ever ask you to share information, like users' communication data, without going through proper legal channels?

Mr. ROTH. No, they did not, and I would have refused if they had.

Mrs. BOEBERT. That is correct. I see that you denied Agent Chan's request for access to Twitter's data feed. What's sick isn't that you would deny it. It is that the FBI would even ask you for the private data of American citizens without going through legal channels of the law. Now, I want to remind you, Mr. Roth, that you are under oath. Did the FBI ever ask you to do anything that was illegal or questionable legal?

Mr. ROTH. I am not a lawyer, but certainly not to the best of my recollection or knowledge.

Mrs. BOEBERT. Now, from the hearing that I have been a part of today, it is almost impossible to tell where the FBI ends and where Twitter begins. We have Mr. Baker here, a former FBI agent, and there seems to be a revolving door between the FBI and Twitter itself. Even Mr. Baker said that there was no collusion with the Federal Government and Twitter, but, Mr. Baker, that is you. You are the collusion between the Federal Government and the FBI, and now this is such a problem because we are seeing censorship all over. Mr. Roth and Ms. Gadde, did either of you approve the shadow banning of my account, @laurenboebert? "Yes" or "no."

Mr. ROTH. No, I did not.

Ms. GADDE. Not to the best of my recollection.

Mrs. BOEBERT. Well, let me refresh your memory because on March 12, 2021, and, Mr. Roth, I know you looked at it because fascist Twitter 1.0 had a public interest exceptions policy, which means for Members of Congress to be shadow banned, it had to go before you, Mr. Roth. So, I will ask again, did you shadow ban my account? "Yes" or "no."

Mr. ROTH. Again, not to the best of my recollection.

Mrs. BOEBERT. So, the answer is, Mr. Roth, yes, you did. I found out last night from Twitter staff that you suppressed my account for this tweet. It is a freaking joke about Hillary Clinton being angry that she couldn't rig her election. It is a joke. But in response, being the sinister overlords that you all are, you placed a 90-day account filter so I could not be found. And now we see here that Twitter staff said the visibility filter on my account excluded



me from top searches, prevented notifications for non-followers, and much more. This is considered an aggressive visibility filter. You silenced Members of Congress from communicating with their constituents. You silenced me from communicating with the American people over a freaking joke.

Now who the hell do you think that you are? Election interference? Yes, I would say that that was taking place because of you four sitting here. The Hunter Biden laptop story was suppressed. A sitting Member of Congress was suppressed. A sitting President was banned from Twitter. You know, I bet that Putin is sitting in the Kremlin wishing he had as much election intervention, interference as you four here today.

We have heard about threats to democracy, well, about shutting down a duly elected Member of Congress. This is fundamental to our Nation's governance, and you all attacked that very foundation. 230 protections. Well, those are for publishers, not for editors, and it is clear you were not acting as publishers. You were acting as editors. And, Mr. Chairman, I think it is far past time that we remove 230 protections for Big Tech platforms who are abusing this protection.

And let me just say I am not angry for myself. I am not angry because I was silenced. I can reach out to Elon and to his staff, and I can see what's happened, and I can sit here today and hold you all in account. I am angry for the millions of Americans who were silenced because of your decisions, because of your actions, because of your collusion with the Federal Government. They can't reach out to Elon. They can't sit here today and hold you into account. We don't know where the FBI ends and Twitter begins, but I do want to thank Elon Musk—

Mr. RASKIN. Mr. Chairman, we're over 17 seconds.

Mrs. BOEBERT [continuing]. For firing you four and saving free speech, and even Twitter. Mr. Chairman, I yield.

Chairman COMER. The lady yields. She went over 24 seconds. I will give Ms. Porter 24 extra seconds.

Ms. PORTER. Well, I appreciate your indulgence, Chairman Comer, but I won't need it.

So, today's hearing gaveled in at 10 a.m. For nearly six hours, —

Voice. Power outage.

Ms. PORTER [continuing]. We have been going back and forth about this supposed suppression of a single news story from a single outlet for a single day. This hearing has been in its length nearly one-quarter of the amount of time that Twitter users could not share the link. We are spending almost as much time screaming about this as this was ever a problem. Look, criminal activity is always a concern. But if there is criminal wrongdoing on Hunter Biden's laptop, that is a matter for the FBI and our law enforcement agencies.

Today's hearing is merely an exercise in misinformation and disinformation, a free-for-all hellscape. That is what now CEO, Elon Musk, said Twitter would become if the platform became a place where anyone could say anything with no consequences. It is unbelievable to me that I am quoting Elon Musk, but that is how ridiculous this hearing has become. The Oversight Committee, like

Twitter or any other social media company for that matter, cannot become a free-for-all hellscape where anything goes. With that, Mr. Chairman, I yield back.

Chairman COMER. The lady yields back. Thank you.

Mrs. BOEBERT. Mr. Chairman?

Chairman COMER. Mrs. Boebert.

Mrs. BOEBERT. I ask unanimous consent to submit two documents into the record, both from Twitter.

Chairman COMER. Without objection, so ordered.

Mrs. BOEBERT. Thank you.

Chairman COMER. The Chair recognizes Mrs. Luna for five minutes.

Mrs. LUNA. Thank you, Chairman. Mr. Roth? Mr. Roth, have you communicated with government officials ever on a platform called Jira? "Yes" or "no." Real quick answer. We are on the clock. "Yes" or "no."

Mr. ROTH. Not to the best of my recollection.

Mrs. LUNA. Not to your recollection? Great. If you did, in the event, communicate, who would have had access to this platform?

Mr. ROTH. That is the nature of my confusion.

Mrs. LUNA. OK.

Mr. ROTH. Jira is—

Mrs. LUNA. Did you ever speak to government officials on Jira regarding taking down social media posts?

Mr. ROTH. Again, not to the best of my recollection.

Mrs. LUNA. Can you explain to me why the Federal Government would ever have interest in communicating through Jira, mind you, a private cloud server, with social media companies without oversight to censor American voices? I want to let you know that this is a violation of the First Amendment, and the Federal Government is colluding with social media companies to censor Americans.

Mr. Chairman, I ask for unanimous consent to submit these graphics into record.

And Mr. Roth, I am going to refresh your memory for you. This flowchart behind me—

[Chart]

Chairman COMER. Without objection, so ordered.

Mrs. LUNA. Thank you, Chair. This flowchart shows the following Federal agencies, social media companies, Twitter, leftist, non-profits, and organizations communicating regarding their version of misinformation using Jira, a private cloud server. On this chart, I want to annotate that the Department of Homeland Security, which has the following branches: Cybersecurity and Infrastructure Security Agency, also known as CISA, Countering Foreign Intelligence Task Force, now known as the Misinfo, Disinfo, and Malinformation, MDM, this was, again, used against the American people; the Election Integrity Partnership, EIP, which includes the following: Stanford Internet Observatory, University of Washington Center for Informed Public, Graphika, and Atlantic Council's Digital Forensic Research Lab, and potentially, according to what we found on the final report by EIP, the DNC, the Center for Internet Security, CIS, a nonprofit funded by DHS; the National Association of Secretaries of state, also known as NASS; and the National As-

sociation of State Election Directors, NASED, and in this case, because there are other social media companies involved, Twitter.

What do all these groups, though, have in common, and I am going to again refresh your memory. They were all communicating on a private cloud server known as Jira. Now, the screenshot behind me, which is an example of one of thousands, shows on November 3, 2020, that you, Mr. Roth, a Twitter employee, were exchanging communications on Jira, a private cloud server with CISA, NASS, NASED, and Alex Stamos, who now works at Stanford and is a former security officer at Facebook, to remove a posting. Do you now remember communicating on a private cloud server to remove a posting? Yes or No?

Mr. ROTH. I wouldn't agree with the characterization that this—

Mrs. LUNA. I don't care if you agree. This is your stuff. "Yes" or "no," did you communicate with a private entity, the government agency on a private cloud server? "Yes" or "no."

Mr. ROTH. The question was if I communicated—

Mrs. LUNA. "Yes" or "no." I am on time. "Yes" or "no."

Mr. ROTH. Ma'am, I don't believe I can give you a "yes" or "no"—

Mrs. LUNA. Well, I am going to tell you right now that you did, and we have proof of it. This, ladies and gentlemen, is joint action between the Federal Government and a private company to censor and violate the First Amendment. This is also known, and I am so glad that there are many attorneys on this panel, joint state actors, it is highly illegal. You are all engaged in this action, and I want you to know that you will be all held accountable.

Ms. Gadde, are you still on CISA's Cybersecurity Advisory Council? "Yes" or "no."

Ms. GADDE. Yes, I am.

Mrs. LUNA. OK. For those who have said that this is a pointless hearing, and I just want to let you guys all know, we found that Twitter was indeed communicating with the Federal Government to censor Americans, I would like to remind you that this was all in place before January 6. So, to say that these mechanisms weren't in place and to make it about January 6, I want to let you know that you guys were actually in control of all of the content, and clearly we have proof of that. Now, if you don't think that this is important to your constituents and the American people, from those saying that this was a pointless hearing, I suggest you find other jobs. Chairman, I yield my time.

Mr. MFUME. Mr. Chairman, point of order.

Chairman COMER. Sure.

Mr. MFUME. Yes, I just want to call to the attention of the Chair and Members—

Chairman COMER. Mr. Mfume, yes, you are recognized.

Mr. MFUME [continuing]. We are getting awfully close to witness intimidation, and I would ask the Chair to intervene.

Chairman COMER. I am sorry. I didn't hear what you said, Mr. Mfume.

Mr. MFUME. I said I would caution all Members that we are getting very close to witness intimidation, right on the verge of it, and I would ask that the Chair and the Ranking Member agree how we

will proceed from this point on. It was the threats that were just made.

Chairman COMER. Ms. Ocasio-Cortez.

Ms. OCASIO-CORTEZ. Yes, thank you, Mr. Chairman. And in follow up to that, I am curious about the Committee's rule or the Committee's disposition. Accusing witnesses of a crime, discussing arrest, you know, making these allusions and threats, I want to clarify for the record what is the Committee's policy around threatening a witness?

Chairman COMER. We have the Member decorum.

Ms. OCASIO-CORTEZ. And around the rules of decorum, can we—

Chairman COMER. Yes.

Ms. OCASIO-CORTEZ [continuing]. Agree that threatening a witness comes close to broaching general decorum? It does broach general decorum of the Committee?

Chairman COMER. With all due respect, Ms. Ocasio-Cortez, we don't agree that there was any witness threatening.

Ms. OCASIO-CORTEZ. When we discuss arrest, when we discuss a potential arrest of a witness and alluding to a witness or suggestion of a witness committing a crime without evidence and without documents being supported to the record.

Chairman COMER. Can you be more specific?

Ms. OCASIO-CORTEZ. When we talk about arresting a witness or when we talk about, insinuating that a witness is lying without documentation, I fear that this constitutes threatening a witness and that will broach the rules of decorum of this Committee, and I would like to ask that we request witnesses be treated with respect. Thank you.

Chairman COMER. I appreciate that, and I will remind everyone of the Member decorum and witness decorum, to treat everyone with respect. Thank you, Ms. Ocasio-Cortez. Do you have anything to add?

Mr. RASKIN. No, thank you. I agree with you, Mr. Chairman. I have a separate point of order I just wanted to raise, which is it seems as if several Members now seem to have access to some information from Twitter that people on our side don't have, and I would just hope that anybody who has communicated directly with Twitter or received any information relating the witnesses who has that, who plans to use it, distribute to the Committee in advance. If that is OK.

Chairman COMER. I think a lot of the quotes and emails are on the laptop.

Mr. RASKIN. But I think that at least one Member indicated—

Chairman COMER. And the Twitter Files that Elon Musk had—

Mr. RASKIN. Well, one Member had indicated that she had received information directly from Twitter.

Chairman COMER. The Chair recognizes Mr. Edwards for five minutes.

Mr. EDWARDS. Thank you, Mr. Chair, and to our witnesses, thank you for being with us today. I know it has been a long one. Just so that we are clear and to stage my next line of questioning, in December 2019, we have established that the FBI subpoenaed Hunter Biden's laptop from a computer store owner. And then we

have established that nearly a year later in October 2020, the Hunter Biden laptop story is published by the *New York Post*. Within hours, Twitter and other social media companies began limiting the distribution of the Hunter Biden story. My question is for Mr. Roth. In September 2020, a few weeks before the *New York Post* published the first story on the Hunter Biden trading on his name, you participated in an exercise hosted by the Aspen Institute with other media outlets, social media companies, and national security reporters. Isn't that correct?

Mr. ROTH. Yes, I did.

Mr. EDWARDS. And, Mr. Roth, that event was hosted specifically by the Aspen Digital Hack and Dump Working Group. Is that correct?

Mr. ROTH. I know it was hosted by the Aspen Institute. I couldn't say who specifically within that.

Mr. EDWARDS. Mr. Roth, this event was before the release of the Hunter Biden laptop story, correct?

Mr. ROTH. That is my recollection, yes.

Mr. EDWARDS. And during that event, a scenario that was discussed was a hypothetical, October 2020, release of records related to Hunter Biden. Is that correct?

Mr. ROTH. Again, that is my recollection of the event, yes.

Mr. EDWARDS. And Mr. Roth, did you participate in the design of this hypothetical scenario?

Mr. ROTH. Not to the best of my recollection, no.

Mr. EDWARDS. Are you telling me that you never had any conversation with anyone regarding the contents of this scenario?

Mr. ROTH. No, sir, I didn't say that. I met with the Aspen Institute on a number of occasions. I wouldn't say that I was involved in the development of the scenario in a specific way, no.

Mr. EDWARDS. So, you are telling me that I will find no witnesses that would testify they had conversation with you regarding the development of this scenario?

Mr. ROTH. I genuinely could not say what other witnesses might or might not say.

Mr. EDWARDS. Why was Hunter Biden chosen as the subject of this scenario just weeks before the October 14, 2020, publication of the first Hunter Biden story?

Mr. ROTH. I don't know.

Mr. EDWARDS. But you participated in the conversation?

Mr. ROTH. I was invited to and joined an event hosted by the Aspen Institute, yes.

Mr. ROTH. And so surely there had to be some level of conversation as to why Hunter Biden was the topic in that scenario.

Mr. ROTH. Not that I can specifically recall.

Mr. EDWARDS. Mr. Roth, representatives from Facebook attended this event also, correct?

Mr. ROTH. To the best of my recollection, yes.

Mr. EDWARDS. OK. And, Mr. Roth, the FBI had Hunter Biden's laptop nearly a year before it was uncovered by the *New York Post* and before the Aspen Institute event. Did members of the U.S. Intelligence Community participate in the September 2020, Hunter Biden hack-and-dump exercise?

Mr. ROTH. I don't recall.

Mr. EDWARDS. Mr. Roth, I would like to point you to a sworn statement that you previously made. I believe this was to the FEC. You have given a sworn declaration stating that “Federal law enforcement agencies communicated that they expected hack-and-leak operations by state actors might occur in the period shortly before the 2020 Presidential election, likely in October.” Is this your statement?

Mr. ROTH. Yes, it was.

Mr. EDWARDS. And, Mr. Roth, you said since 2008, in 2018, you had been meeting with the Office of the Director of National Intelligence, the Department of Homeland Security, the FBI, and industry peers regarding election security, correct?

Mr. ROTH. Yes, sir.

Mr. EDWARDS. OK. And, Mr. Roth, you were told there would likely be a hack-and-leak operation occurring in October. Is that correct?

Mr. ROTH. I believe the FBI has objected to the word “likely” or “expected,” but we certainly discussed that possibility with them.

Mr. EDWARDS. All right. Thank you. Mr. Chair, I yield back.

Chairman COMER. The gentleman yields back. The Chair recognizes Ms. Bush, for five minutes.

Ms. BUSH. St. Louis and I are here today to talk about the crisis posed by the power of private companies that operate social media platforms. Republicans are holding this hearing because of their ridiculous politically motivated obsession with Hunter Biden. This is a distraction from their inability, again, to govern, and it hides the shared concerns raised by Republicans and Democrats alike about the vast power, impunity, and lack of accountability of social media platforms.

There are so many examples of these companies responding inadequately or inappropriately in crisis that we have come to understand misconduct as the norm for social media giants and not an aberration. Social media played a key role in fanning the flames of violence on January 6, that attack on our U.S. Capitol. The impact has spread all over the world. Last fall, after Reuters reported that disinformation about Chile’s proposed constitutional referendum was traveling three times faster on social media platforms than facts, several Members of this Committee wrote to Meta, Twitter, and TikTok demanding further action to reduce the dissemination, reduce the lies, reduce the hate. They did nothing.

Ms. Gadde, you were at Twitter on January 6 and asked repeatedly for a retrospective meeting to discuss what happened in the lead-up to that day. Management told you, “It wasn’t a priority for the company.” Why was it not a priority for Twitter to learn lessons from January 6?

Ms. GADDE. I don’t believe you are referring to me. Apologies. I am the chief legal officer. I did not make that statement.

Ms. BUSH. OK. Ms. Navaroli?

Ms. NAVAROLI. Would you mind repeating the question?

Ms. BUSH. Sure. On January 6, you were at Twitter and asked repeatedly for a retrospective meeting to discuss what happened in the lead-up to that day. Management told you it wasn’t a priority for that company. Why was it not a priority for Twitter to learn the lessons from January 6?

Ms. NAVAROLI. I can't speak to leadership's motivations or why it would not have been a priority for them. What I can say is myself and individual members of my team repeatedly asked that we do a retrospective to understand not just what happened on January 6, but leading into January 8 in the permanent suspension of the President.

Ms. BUSH. And what can you say is Twitter's top priority?

Ms. NAVAROLI. I can't speak to Twitter's top priority at this moment. I can say that, again, my team's responsibility was to balance free expression in safety and to ensure the safety and lack of harm for people on the ground.

Ms. BUSH. Thank you. Twitter's top priority seems to be to maximize its profit. The people on this panel were among the top experts moderating content for equity and safety at Twitter, and your concerns were consistently steamrolled by executives pursuing profit. We know the situation must change, but I would argue that the structure of these corporations ensures this malpractice will continue. These social media companies have shown themselves unfit to maintain a digital public square with almost universal usage and vast power. Their purpose is not to facilitate healthy, fact-based discourse. It is to aggressively pursue profit for their billionaire executives and shareholders. Even when they make a good decision about removing a post or a user, it is only to make a profit.

This existential problem will not be solved by asking these for-profit corporations to tweak their approach around the edges. We need to re-envision what the internet can be. Digital platforms, including social media, are here to stay, but we need to make sure that they operate for the public good and not the private interests. We need to invest in better alternatives to Big Tech, and we need to establish public ownership and control to ensure these platforms serve everyone fairly. Thank you, and I yield back.

Chairman COMER. The Chair recognizes Mr. Perry for five minutes.

Mr. PERRY. I thank the Chairman, and I thank the witnesses. It has been a long day. Mr. Roth, going back to your statement Mr. Edwards talked about, I want to just kind of revisit that a little bit where it was communicated to you, at least for your statement by the FBI, that there was expected hack-and-dump or hack-and-leak operations and that they would occur before the election. And at the bottom here, the meetings that were rumored that the hack-and-leak operation would involve Hunter Biden. Well, first of all, who told you that? Can you tell us where you got that information, if you know?

Mr. ROTH. The subject of possible hack-and-leak was raised by a number of representatives of the FBI.

Mr. PERRY. Was one of them Mr. Chan?

Mr. ROTH. Yes, Mr. Chan was a part of that.

Mr. PERRY. OK. So, are you familiar with the fact that in his testimony in November 2022, that he says we did not see any similar competing intrusions to what happened in 2016. And of course, you have been talking to intelligence agencies and law enforcement agencies for some time, and they were referring to the 2016 hack-and-dump operation. Are you familiar that he said that subsequent to you saying this, that they didn't have any evidence?

Mr. ROTH. I was not aware of—

Mr. PERRY. OK. That is fair. That is fair.

Mr. ROTH [continuing]. Mr. Chan's deposition, no.

Mr. PERRY. Did they ever give you any evidence of the hack-and-dump operation that happened in 2016? And what I think I am referring to is the allegation that the Clinton campaign, the DNC server was hacked and that that information was spread about through WikiLeaks or other information channels. Did they ever give you any evidence of that occurrence during these discussions?

Mr. ROTH. That information was made public by the intelligence community in the Mueller report and by the Senate Intelligence.

Mr. PERRY. Yes, evidence. Did they ever give you evidence because as far as we know, CrowdStrike looked at the servers. Did the FBI ever look at the servers from the DNC, to your knowledge?

Mr. ROTH. I think that would be a question better directed at FBI.

Mr. PERRY. Fair enough, but the point is, you never saw any evidence, right? You are just taking it on, and I am not blaming you because a lot of people want to believe the FBI. I have always wanted to believe the FBI. The question is, did they ever give you any evidence to believe that because they are making the case. They are making the case that there is a hack-and-leak operation coming, and it is going to be about Hunter Biden right before the election. Did they ever give you any evidence?

Mr. ROTH. It didn't come up.

Mr. PERRY. OK. I didn't figure it did, and then you all set up a secret channel between Twitter and the FBI. Who did that from the FBI? Was that Roth? You are Roth. Was that Elvis? I am sorry.

Mr. ROTH. Mr. Chan was part of that work, yes.

Mr. PERRY. Yes, he was part of that, and you actually set up a war room as well, right?

Mr. ROTH. I believe the FBI operated a war room.

Mr. PERRY. OK. Fair enough.

Mr. ROTH. I didn't join.

Mr. PERRY. And you participated in that?

Mr. ROTH. No, sir, I did not.

Mr. PERRY. You did not. Did Twitter participate in it?

Mr. ROTH. I believe Twitter may have sent a representative.

Mr. PERRY. OK. OK, fair enough. And then you did this tabletop exercise about Hunter Biden, and about a leak, about Hunter Biden that would come out right before the election, essentially 10 days, and that happened in September, right, before the election. And you participated in that right?

Mr. ROTH. Yes, I did.

Mr. PERRY. Who facilitated that exercise? I know the Aspen Institute, but who facilitated the exercise proper? Was anybody from a government agency facilitating any part of that? Were they involved in the discussions during the exercise?

Mr. ROTH. No. I don't believe so, no.

Mr. PERRY. So, they were just spectators?

Mr. ROTH. I wasn't aware that they were spectators either, but I don't recall exactly who was there.

Mr. PERRY. I know you don't recall who was there. Then who facilitated. Do you recall that?



Mr. ROTH. My recollection is that the event was facilitated by Garrett Graff, who was a member of the Aspen Institute and Aspen Digital.

Mr. PERRY. All right. Do you find it odd now after the fact? And I know you have already testified here to Mr. Sessions that you didn't see that you were misled or potentially duped. It sure seems highly coincidental. Would you agree, at least, it seems highly coincidental? Knowing that the FBI had the laptop, that the FBI set up the war room in the channel, and told you per your statement that this was going to happen, do you find it highly coincidental that it actually happened and it was Hunter Biden at all?

Mr. ROTH. I want to be clear that my statement to the FEC does not suggest that the FBI told me it would involve Hunter Biden. That is a popular reading of that declaration, but it was not my intent. I think there is a coincidence there, and I really can't speak as to how that came about.

Mr. PERRY. Yes, it is really coincidental. One last question. Did the CIA or the other governmental agency ever asked Twitter to look at something that violated Twitter's policy?

Mr. ROTH. I don't recall specific outreach by the CIA specifically.

Mr. PERRY. Other government agencies, what it was called in the Twitter files?

Mr. ROTH. Yes. Twitter regularly received reports from government requesting review under our own rules.

Mr. PERRY. So, the other government agency, that one, did they ever request information regarding violations of Twitter's policies, the CIA?

Chairman COMER. The gentleman's time has expired, but please answer the question.

Mr. PERRY. I thank the Chair.

Mr. ROTH. Again, I don't recall specific contact from the CIA, no.

Chairman COMER. OK. The Chair recognizes Mr. Burlison for five minutes.

Mr. BURLISON. Thank you, Mr. Chairman. I have sat here listening. I am glad to be last in rank. I get to listen to all the testimony. And what has become clear to me, there are a few things, and that is that the censorship efforts of the Big Tech, the intelligence community, and the media were all working in concert to affect the 2020 election. I find it unbelievably ironic, and I hope others do, too, see the irony that people who are so concerned, and hell bent, and worried about the interference of outside groups on the 2016 election, became willing participants to interfere in the following Presidential election.

These three groups work together and, it is clear, works hand-in-hand to hide the truth from the American people. The fact that the FBI had the Hunter Biden laptop, it was in their possession for a year before the election, is appalling, but that didn't stop them from spreading a lie and a bogus claim about it being Russian interference again. And, you know, it is clear to me why they reached out to you because they knew you would buy the lie. They knew that an organization with 99 percent of its employees donating to Democratic candidates and efforts would absolutely not look at any information with a jaundiced eye. You would take it as the gospel truth. And so, they knew that because it was clear from

your tweets before that you have an opinion about the President. You have an opinion about the Republican Party. And so, all of that leading up to the October 14, 2020, when the *New York Post* published its story, everything was already in place.

So, Mr. Roth, my question to you is when 51 intelligence officials told us that the Hunter Biden laptop was Russian disinformation, the Democrats, the mainstream media, the President all repeated this lie. Now that you know what you know, years later, do you still believe that the Hunter Biden laptop is not real or do you believe it is real?

Mr. ROTH. Sir, I never held that belief.

Mr. BURLISON. Do you believe that the story is Russian disinformation?

Mr. ROTH. No, sir. I didn't then and I don't now.

Mr. BURLISON. OK. I have a question, Mr. Baker. You started your role as a Twitter's deputy general counsel in June 2020, correct?

Mr. BAKER. Yes, sir.

Mr. BURLISON. Who hired you for that role?

Mr. BAKER. Who specifically hired me? My boss was a person named Sean Edgett, who was the general counsel.

Mr. BURLISON. Sean Edgett?

Mr. BAKER. E-d-g-e-t-t.

Mr. BURLISON. And that is who you interviewed with?

Mr. BAKER. I interviewed with numerous people, but Sean was my boss.

Mr. BURLISON. Anyone that comes to mind outside of Sean?

Mr. BAKER. Ms. Gadde, I interviewed with. You are saying other people that I interviewed with at Twitter?

Mr. BURLISON. But ultimately the hiring agent was Sean Edgett?

Mr. BAKER. I am not sure exactly who made the decision to be frank with you, but Sean was my boss.

Mr. BURLISON. OK. My next question is when you were fired from Twitter in December 2022 after the release of the first installment of Twitter Files, did you destroy any internal communications related to that first batch on the Twitter files?

Mr. BAKER. As I said in my testimony, I didn't destroy any documents, period.

Mr. BURLISON. What reason were you fired?

Mr. BAKER. You will have to ask Mr. Musk about that.

Mr. BURLISON. You were not given any information?

Mr. BAKER. He made a public statement about it in a tweet, but I think you would have to ask him for the precise reason.

Mr. BURLISON. OK. Thank you. Back to Mr. Roth. Is it true that Twitter whitelisted accounts for the Department of Defense to spread propaganda about its efforts in the Middle East? Did they give you a list of accounts that were fake accounts then asked you to whitelist those accounts?

Mr. ROTH. That request was made of Twitter. To be clear, when I found out about that activity, I was appalled by it. I undid the action, and my team exposed activity originating from the Department of Defense's campaign publicly. We have shared that data with the world, and research about it has been published.

Mr. BURLISON. Was that only in efforts against foreign entities or were there any efforts against citizens of the United States?

Mr. ROTH. I think the nature of public social media activity means that anybody might have seen it, but my understanding was the activity was predominantly focused outside of the United States.

Mr. BURLISON. OK. Thank you. And, Mr. Chairman, I want to just say thank you for this hearing. I would hope that we would be asking for documents and communications, whether it is on personal devices or private devices, between these individuals and government officials.

Chairman COMER. So noted. Very good. Thank you. The Chair recognizes Mrs. McClain, for five minutes.

Mrs. MCCLAIN. Thank you, Mr. Chairman, and thank you all for being here today. It is a long day. I am going to try and make this quick and easy. Mr. Roth, part of your job at Twitter dealt with assessing dis-and misinformation, correct?

Mr. ROTH. Yes.

Mrs. MCCLAIN. Wonderful. How did you determine what disinformation and misinformation was? What is your criteria for making that decision?

Mr. ROTH. Twitter had established policies covering each of those areas, and I will take them in turn. We actually generally didn't use the term "disinformation," but we focused on platform manipulation. So, behaviors like running inauthentic accounts out of a Russian troll farm we would address as the behaviors that they are, and we would look for technical signs of that type of manipulation, and we would remove those accounts.

Mrs. MCCLAIN. So, it was all technical?

Mr. ROTH. On that side of things, yes.

Mrs. MCCLAIN. OK.

Mr. ROTH. When it comes to misinformation, which broadly is a question of the content of tweets, Twitter would establish written policies.

Mrs. MCCLAIN. Which was?

Mr. ROTH. I am sorry?

Mrs. MCCLAIN. Which was?

Mr. ROTH. Which policies did Twitter maintain?

Mrs. MCCLAIN. Yes. I mean, I think the problem with America is we have one set of rules for this team and another set of rules for this team, so we are trying to look at what is the equal playing field. I am under the assumption that when we use disinformation and we use criteria, the criteria is the same for both sides. So, I am trying to figure out what is the criteria that you had in place to determine which information was misinformation, and did you apply that equally, equitably, inclusively, so to speak to all sides. So, what is the criteria?

Mr. ROTH. Thank you for the question. We used a three-part test across all of our misinformation policies.

Mrs. MCCLAIN. OK.

Mr. ROTH. The first is whether the tweet advances a claim of fact stated definitively, not an opinion, not a viewpoint, but a claim of fact stated definitively.

Mrs. MCCLAIN. OK.

Mr. ROTH. The second part of that test is whether the claim of fact is provably false, not iffy, not maybe, not gray area, definitely provably by multiple experts' sources, false. And then finally, and this is a really important part, we looked for evidence that those claims of fact could cause harm. So, if a tweet met all three parts of that test, that it is a claim of fact, that it is provably false, and that it is dangerous, Twitter might intervene under its policies. No part of that test is viewpoint based.

Mrs. MCCLAIN. And in your opinion, was that applied to all tweets?

Mr. ROTH. No.

Mrs. MCCLAIN. Thank you. Mr. Roth, you are familiar with reports that the Biden Administration was considering establishing a disinformation governance board under the Department of Homeland Security?

Mr. ROTH. I am aware of public reporting about that, yes.

Mrs. MCCLAIN. Thank you, and that board was never established, correct?

Mr. ROTH. That is my understanding.

Mrs. MCCLAIN. That is correct. It seems to me that the Federal Government had far more powerful disinformation governance board in its relationship with Twitter. Again, Mr. Roth, question. How often were you meeting with people from the Federal Government while you were at Twitter? Weekly, daily, monthly?

Mr. ROTH. I would estimate somewhere between weekly and monthly.

Mrs. MCCLAIN. OK. And were you aware that Mr. Baker was also taking these meetings with the Federal Government as well?

Mr. ROTH. I was not aware of Mr. Baker's calendar, no.

Mrs. MCCLAIN. So, you had no idea that he was meeting? You just worked in silos?

Mr. ROTH. Mr. Baker and I were in some of the same meetings together, but no, I did not know the ins and outs of what he was doing.

Mrs. MCCLAIN. OK. What did you understand Mr. Baker's role to be at Twitter besides offering general legal advice?

Mr. ROTH. Mr. Baker supervised the primary legal team that advised the Trust and Safety team. He was the supervisor of the supervisor of the attorneys who advised my team.

Mrs. MCCLAIN. OK. And how about Ms. Gadde's role at Twitter besides offering general legal advice?

Mr. ROTH. For the final, I believe, year-and-a-half of my tenure at Twitter, Ms. Gadde was my direct supervisor.

Mrs. MCCLAIN. OK. What was her role? Just to supervise you? To make sure you followed those three claims?

Mr. ROTH. Ms. Gadde supervised what my team's goals and objectives were. She made sure I was doing my job. She made sure that if there was conflict in the workplace, she guided me on how to address that. She did the job of a manager.

Mrs. MCCLAIN. OK. And she oversaw you and the Trust to make sure that your three claims of fact—provable, false, and would cause harm—she oversaw that?

Mr. ROTH. Yes. Ms. Gadde ultimately oversaw Twitter's policies and enforcement decisions.

Mrs. MCCLAIN. Thank you. Mr. Roth, in Ms. Navaroli's testimony, she states that her expertise is in media technology, law, and policy. How often per week did you meet with Ms. Navaroli to discuss these areas while you were both at Twitter?

Mr. ROTH. We did not.

Mrs. MCCLAIN. You did not. OK. Thank you so much.

Chairman COMER. The gentlelady's time has expired.

Mrs. MCCLAIN. Thank you.

Chairman COMER. The Chair recognizes Mr. LaTurner, for five minutes.

Mr. LATURNER. Thank you, Mr. Chairman. Based on everything I have seen regarding this issue, it is clear to me that government officials colluded with Twitter employees to censor the *New York Post's* legitimate reporting of the Hunter Biden laptop story. Democrats on this Committee have so far characterized this hearing as unnecessary and a waste of time. I would invite any of my colleagues across the aisle to talk to folks in Kansas because I can promise you, they do not feel that way. In fact, my constituents are very concerned and rightfully so, that a social media company collaborated with a government entity and a political party to suppress certain social media accounts and filter news ahead of an election cycle. Americans deserve answers on this outright attack on our First Amendment rights, and I look forward to gaining clarity from our witnesses.

Mr. Baker, your testimony focuses heavily on the fact that Twitter acted lawfully in its reaction to the Hunter Biden laptop story, but this isn't a criminal trial. It is a congressional hearing. I am here because my constituents are genuinely concerned that they will be kicked off these platforms for any statement that managers at those companies disagree with. They feel that social media companies, like Twitter, are forcing them to play a game that they don't know the rules to. I want to know your opinion on if you think it is appropriate for people in positions of power to determine what information gets shared. If not, what criteria is acceptable for making those determinations?

Mr. BAKER. That is a very broad question on people in power. I am not sure I can answer that effectively and address your—

Mr. LATURNER. Could you try?

Mr. BAKER. Well, I mean, the Congress is in power. Congress is restricted by the Constitution of the United States. Congress passes laws. Those laws impact how, for example, private sector actors exercise their power or spend their money, that type of thing. Government agencies have to act in accordance with the Constitution. The laws you pass, internal regulations, executive orders, there are a whole panoply of ways that people in power, writ large, are held accountable and have to comply with rules and regulations, and laws, and the Constitution.

Mr. LATURNER. Mr. Chairman, I would like to yield the rest of my time to Mr. Jordan.

Chairman COMER. Yield to Mr. Jordan.

Mr. JORDAN. I thank the gentleman. Mr. Roth, I want to go back to your statement in your declaration of the FEC, "I learned that a hack-and-leak operation would involve Hunter Biden." Who did you learn that from?

Mr. ROTH. My recollection is it was mentioned by another technology company in one of our joint meetings, but I don't recall specifically whom.

Mr. JORDAN. You don't know the person's name?

Mr. ROTH. I don't even recall what company they worked at, no. This was a long time ago.

Mr. JORDAN. And you are confident that it was from a tech company, not from someone from the government?

Mr. ROTH. To the best of my recollection, yes.

Mr. JORDAN. Did anyone from the government in these periodic meetings you have, did they ever tell you that a hack-and-leak operation involving Hunter Biden was coming?

Mr. ROTH. No.

Mr. JORDAN. Did Hunter Biden's name come up at all in these meetings?

Mr. ROTH. Yes, his name was raised in those meetings, but not by the government, to the best of my recollection.

Mr. JORDAN. OK. Mr. Baker, I want to go back to the question we had a few hours ago, but I want to frame it in a way I think you can answer. Did you ever tell the FBI that they had no legitimate interest in enforcement of Twitter's policies?

Mr. BAKER. I don't think I understand the question. I don't recall ever having such a conversation with the FBI.

Mr. JORDAN. OK. Did you think there was a problem with the FBI sending you a list of names and accounts and saying, hey, these violate your policies? Did you see that as some kind of potential concern?

Mr. BAKER. I was always concerned that the FBI adhere to the Constitution and laws of the United States, period.

Mr. JORDAN. And you didn't think that crossed the line?

Mr. ROTH. What crossed the lines, sir?

Mr. JORDAN. What I just asked you, the idea they are sending you a list of account that they want—they say these violate your terms of service.

Mr. BAKER. Again, I am making sure that I can answer the question. Had I thought that they were doing something unlawful, I would have taken appropriate steps to address it.

Mr. JORDAN. OK. Mr. Roth, based on what I read in the Twitter files, why were you reluctant to work with the GEC?

Mr. ROTH. It was my understanding that the GEC, or the Global Engagement Center of the State Department, had previously engaged in at least what some would consider offensive influence operations. Not that they were offensive as in bad, but offensive as in they targeted entities outside of the United States. And on that basis, I felt that it would be inappropriate for Twitter to engage with a part of the State Department that was engaged in active statecraft. We were dedicated to rooting out malign foreign interference no matter who it came from, and if we found that the American Government was engaged in malign foreign interference, we would be addressing that as well.

Mr. JORDAN. Yes.

Chairman COMER. The gentleman's time has expired. In closing, I want to, again, thank our panelists for being here. I know it has been a long day. We apologize for the electricity going out. That

has never happened in my six years in Congress. But before we close, the Ranking Member and I are going to have very brief closing statements.

I yield to the Ranking Member.

Mr. RASKIN. Well, thank you kindly, Mr. Chairman. Thank you to the witnesses for your endurance and patience today. I hope you don't feel as bad about the day as you seem to look right now, but it is going to be over soon.

I want to start with a simple point that I hope will be sympathetic to you, and I began the long day with this. It is even more important now that we have Members who are actually threatening witnesses with arrest and prosecution for clearly imaginary offenses, really offenses that might make sense in their minds, but I don't quite know what they would be. But Twitter is a private First Amendment protected media entity, and you make your own decisions, like Fox News makes its decisions. And I might get kicked off of Fox News, or they might not cover me, or *Wall Street Journal*, or MSNBC. I have got no constitutional right to go there, so I think there is just a fundamental legal fallacy and logical fallacy that pervades most of the questioning today.

And my friend, the Chairman, and my friend, Mr. Jordan, certainly know that under our First Amendment, there is a state action requirement. There is no state action here. Now, there is an attempt to perhaps jerry-rig some state action by claiming, well, it was really the FBI that committed whatever offense was there, but what do we have in terms of what we found today?

Well, today's witnesses, each and every one, testified that no U.S. Government official directed any of them to censor, remove, or take down the *New York Post* story. That was their mistake. Two, today's witnesses all testified that the Biden campaign did not direct Twitter to take action against the *New York Post* story. And three, the whole hearing was predicated on the idea that the FBI directed Twitter to take down the *New York Post* story to protect Biden, but, once again, not a single witness testified that the FBI even communicated with Twitter about the *New York Post* story.

So, to me, this has been a wild cyber goose chase all day. It has turned up absolutely nothing. But there was one serious point made by our witness, Ms. Navaroli, who said that the violence and the chaos that was reaped upon this institution, not far from where we sit today, on January 6, the attempt to topple a Presidential election and install someone who had not been elected as President, was facilitated by Twitter and other social media entities. And Twitter, at least, the brass there specifically rejected the pleas of employees to take seriously all of the signs and clues of coming violence and the insurrectionary action that took place. That is a serious problem that we are going to have to deal with at some point at a serious hearing. Mr. Chairman, I yield back to you.

Chairman COMER. The gentleman yields. I will conclude by reminding my friend, the Ranking Member, that you have gone through quite the transition. At the beginning of the hearing, you as well as many of your colleagues said this was a conspiracy theory. After listening to the witnesses, now you say it is a simple mistake they made in suppressing the laptop story. Twitter is a private company, but they enjoy special liability protections, Sec-

tion 230. They also, according to the Twitter Files, receive millions of dollars from the FBI, which is tax dollars, I would assume, and that makes it a concern of the Oversight Committee.

The reason that we had this hearing is because the laptop has been mislabeled by many in the mainstream media as being Russia disinformation, and that started with Twitter, as well as being tampered with, and you had several people, including Mr. Goldman, that implied that it had been tampered with, even though CBS News and other credible media outlets—

Mr. RASKIN. What do you mean, mainstream outlets?

Chairman COMER. CBS?

Mr. RASKIN. Yes.

Chairman COMER. You don't think CBS is credible?

Mr. RASKIN. No, I thought you were just calling them "mainstream media." Oh, OK.

Chairman COMER. No, no, CBS News. CBS News has done a forensic audit that shows that the hard drive is legitimate, and it was not tampered with. So, these are misconceptions that are out there, and they started because of the suppression of the laptop story. The reason the laptop is important is because there is evidence on there that should concern every American about potential corruption, as well as evidence that would suggest that there is a possibility that this Administration could be compromised because of the millions and millions of dollars that they have received from our adversaries around the world. And we believe that is worth investigating. We believe national security is important.

We had a hearing yesterday on our border. We believe there is a crisis at the border, and it threatens our national security. We had a hearing today. We believe that we need to make sure that this Administration is not compromised because of the millions of dollars that they have received from our adversaries around the world. Much of that evidence is contained in the laptop.

So, I think this was a very successful hearing. I appreciate the witnesses' time. I know it was a very long day, and, again, we have never had the electricity go out before, but we appreciate your sincere testimony.

And with that, and without objection, all Members will have five legislative days—

Ms. OCASIO-CORTEZ. Mr. Chair? Mr. Chair? Mr. Chair? I apologize. It has come to my attention that I have to seek a unanimous request in order to submit some additional documents.

Chairman COMER. Without objection, so ordered.

Ms. OCASIO-CORTEZ. Thank you. Apologies.

Chairman COMER. With that, and without objection, all Members will have five legislative days within which to submit materials and to submit additional written questions for the witnesses, which will be forward to the witnesses for their response.

If there is no further business, without objection, the Committee stands adjourned.

[Whereupon, at 4:12 p.m., the Committee was adjourned.]