

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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July 23, 2024

The Honorable Jim Jordan
Chairman
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Jordan:

I write to bring to your attention a serious and time-sensitive censorship issue occurring on the social media platform X. Numerous users have recently reported being blocked from following Vice President Kamala Harris' campaign handle @KamalaHQ in the past two days, following the news that President Biden will not seek re-election and that he has endorsed Vice President Harris as a candidate for President.

As you know, Vice President Harris is now a bona fide candidate for President of the United States in the 2024 elections. Regardless of political ideology, Americans have a protected interest in receiving Vice President Harris' communications regarding her candidacy. Vice President Harris, in turn, has a right to communicate with the American people as she runs for the highest office in the country. Alarming, numerous users on X have reported that when they try to follow @KamalaHQ, they receive a "Limit reached" error message, stating that the user is "unable to follow more people at this time."¹ For example:

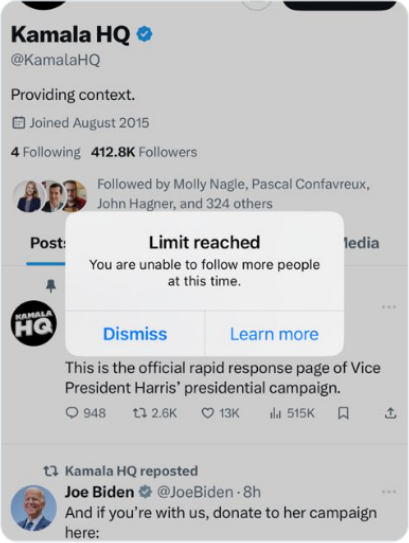
¹ E.g., Steven Overly (@StevenOverly), X (Jul. 21, 2024, 10:57 PM), <https://x.com/StevenOverly/status/1815219615884075488>; Alyssa Farah Griffin (@Alyssafarah), X (Jul. 21, 2024, 11:11 PM), <https://x.com/Alyssafarah/status/1815223145319559472>; Alistair Thornton (@AlistairTh), X (Jul. 21, 2024, 11:19 PM), <https://x.com/AlistairTh/status/1815225111802499291>.

Steven Overly @StevenOverly · 16h ...

Anyone else getting this error message when trying to following the Harris campaign's new rapid response account, @KamalaHQ?

No clear reason why I would be getting this and I am still able to follow other accounts.

Anyone at @X care to explain?



The screenshot shows the profile of Kamala HQ (@KamalaHQ) with 412.8K followers. A modal dialog box is overlaid on the profile, displaying the message: "Limit reached. You are unable to follow more people at this time." with "Dismiss" and "Learn more" buttons. Below the dialog, the tweet text reads: "This is the official rapid response page of Vice President Harris' presidential campaign." with 948 replies, 2.6K retweets, 13K likes, and 515K views. A repost by Joe Biden is also visible.

6 6 11 3.1K

Steven Overly @StevenOverly · 16h ...

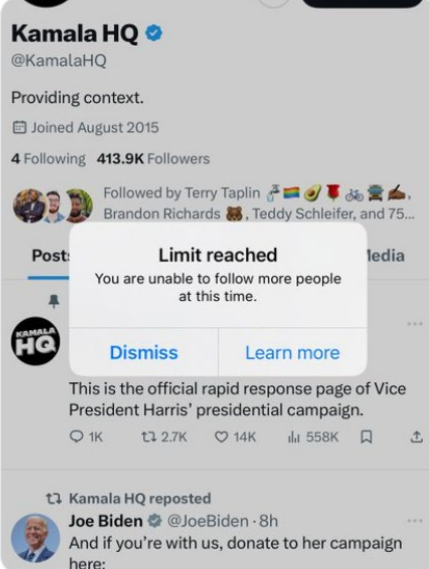
Other users are posting a similar error message... saying they're unable to follow this @KamalaHarris campaign account because of hitting a "limit" on follows.

Why are followers to this account being limited @X @lindsayX @elonmusk?

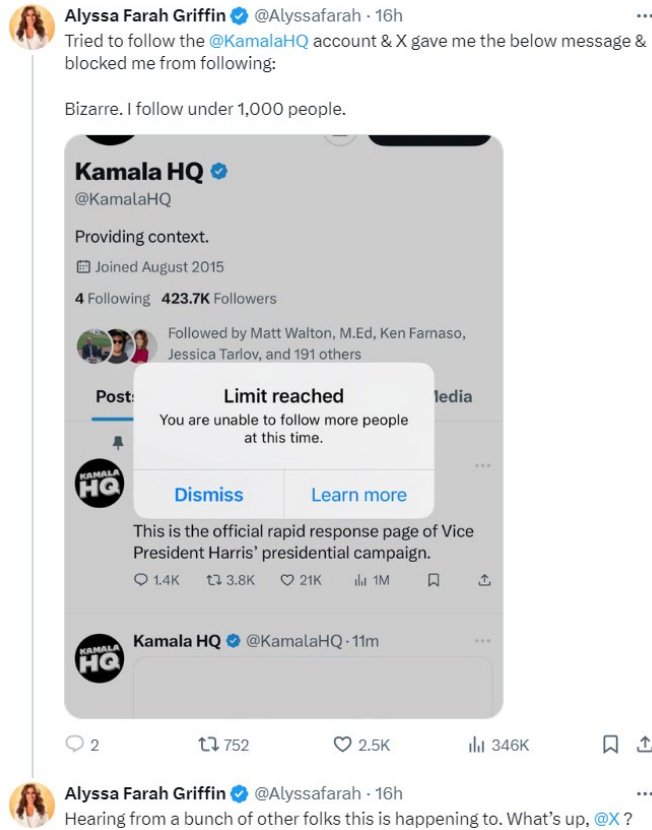
Alistair Thornton @AlistairTh · 16h ...

I'm unable to follow @KamalaHQ because I've reached my limit? I do not follow a large number (2k, vs the max 5k for some), have not had a surge in follows (maybe 5 in last week or two), and even unfollowed 10 accounts to try again (in vain).

Anyone else getting this?



The screenshot shows the profile of Kamala HQ (@KamalaHQ) with 413.9K followers. A modal dialog box is overlaid on the profile, displaying the message: "Limit reached. You are unable to follow more people at this time." with "Dismiss" and "Learn more" buttons. Below the dialog, the tweet text reads: "This is the official rapid response page of Vice President Harris' presidential campaign." with 1K replies, 2.7K retweets, 14K likes, and 558K views. A repost by Joe Biden is also visible.



These error messages do not make any sense. Users experiencing these issues are otherwise free to follow other accounts and they are not in violation of potential request limits. This suggests that X may be intentionally throttling or blocking Vice President Harris’ ability to communicate with potential voters. If true, such action would amount to egregious censorship based on political and viewpoint discrimination—issues that this Committee clearly has taken very seriously.

As you have aptly recognized in the past: “Big Tech’s role in shaping national and international public discourse today is well-known.”² Against this import, you have criticized tech platforms for alleged political discrimination. As you wrote in letters to several “Big Tech” companies: “In some cases, Big Tech’s ‘heavy-handed censorship’ has been ‘use[d] to silence prominent voices’ and to ‘stifle views that disagree with the prevailing progressive consensus.’”³ In your view, platform censorship is particularly harmful to the American public because, “[b]y suppressing free speech and intentionally distorting public debate in the modern town square,

² See e.g., Letter from the Honorable Jim Jordan, Chairman, H. Comm. On the Judiciary to Timothy Cook, CEO of Apple (Dec. 14, 2022), <https://judiciary.house.gov/sites/evo-subsites/judiciary.house.gov/files/evo-media-document/2022-12-14-jdj-to-apple-re-censorship-investigation.pdf>.

³ *Id.* (citing The Editorial Board, *Elon Musk’s Hopeful Twitter Feed*, WALL ST. J. (Apr. 5, 2022), <https://www.wsj.com/articles/elon-musks-hopeful-twitter-feed-social-media-board-11649197092>).

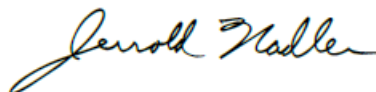
ideas and policies were no longer fairly tested and debated on their merits.”⁴ Ironically, X’s CEO Elon Musk himself has expressed similar sentiment: “Given that Twitter serves as the de facto public town square, failing to adhere to free speech principles fundamentally undermines democracy.”⁵

Given your long track record of fighting against political discrimination on the platform “town squares” of American discourse, I trust that you will join me in requesting additional information from X regarding this apparent censorship of a candidate for President of the United States. The Committee should immediately launch an investigation and request at a minimum the following information from X.

1. A precise explanation of the cause for why certain accounts, including the users who have been included as exemplars to this letter, were blocked from following Vice President Harris’ handle @KamalaHQ from July 21, 2024, through the present.
2. The total number of users who attempted to follow @KamalaHQ from July 21, 2024, to present, but were unable to due technical or other reasons.
3. What specific actions have been taken to address these issues, if any, and the timeline for when each remedial action was taken.
4. Whether CEO Elon Musk was personally involved in directing, encouraging, or coercing any employee at X to throttle or limit any user from joining @KamalaHQ.

It is my sincere hope that you channel the same outrage and pertinacity against platform censorship of the Democratic party as you do when conservative speech is allegedly suppressed. With little time remaining in this Congress, I am hopeful that the Committee may find ways to put partisan politics aside and work on serious issues like this, which impact the ability for voters and candidates to engage in a free and fair exchange of information and viewpoints—critical elements to a functioning democracy.

Sincerely,



Jerrold Nadler
Ranking Member
House Committee on the Judiciary

⁴ Interim Staff Report, *The Censorship-Industrial Complex: how Top Biden White House Officials Coerced Big Tech to Censor Americans, True Information, and Critics of the Biden Administration*, H. COMM. ON THE JUDICIARY & H. SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FED. GOV’T, at 1 (May 1, 2024).

⁵ The Editorial Board, *Elon Musk’s Hopeful Twitter Feed*, WALL ST. J. (Apr. 5, 2022),

<https://www.wsj.com/articles/elon-musks-hopeful-twitter-feed-social-media-board-11649197092>.