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October 14, 2020

Lisa J. Stevenson
Acting General Counsel
Federal Election Commission
Office of General Counsel
1050 First Street, NE
Washington, DC 20463

Dear Ms. Stevenson:

I write to express serious concern about the possibility that egregious campaign-finance violations benefitting the Biden campaign may be playing out in real time, just weeks before the presidential election. Earlier today, the *New York Post* published a bombshell report that Hunter Biden facilitated a meeting between a Ukrainian energy executive and his father, who was then Vice President. The *Post* article cites evidence that would directly contradict Joe Biden's claim that he has "never spoken to my son about his overseas business dealings."

The *Post*'s reporting has understandably attracted substantial public discussion. And countless Americans have sought to discuss and debate that article via the forums in which so much of our political speech occurs: on social media. But two social-media platforms have engaged in unprecedented suppression of public discussion of the article. Twitter is blocking all tweets and direct messages that contain the URL for the *Post* article. Facebook has stated that it is "reducing [the story's] distribution on our platform," though the specifics of how Facebook will implement this remain opaque.

This conduct does not merely censor the core political speech of ordinary Americans, though it certainly does that. Twitter's and Facebook's conduct also appears to constitute a clear violation of federal campaign-finance law. Federal law prohibits any corporation from making a contribution to a federal candidate for office. 52 U.S.C. § 30118(a). Twitter and Facebook are both corporations. A "contribution" includes "anything of value . . . for the purpose of influencing any election for Federal office." 52 U.S.C. § 30101(8)(A)(i). Twitter's and Facebook's active suppression of public speech about the *New York Post* article appears to constitute contributions under federal law. There can be no serious doubt that the Biden campaign derives extraordinary value from depriving voters access to information that, if true, would link the former Vice President to corrupt Ukrainian oligarchs. And this censorship manifestly will influence the presidential election.

These possible campaign-finance violations by two of the most powerful corporations in America comes only weeks before Election Day, and while millions of Americans are in the midst of voting. I ask that the FEC take immediate action to investigate these potential violations and, if appropriate, take remedial action to prevent further interference with the 2020 presidential election.

Sincerely,



Josh Hawley
United States Senator