

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 9605
OFFERED BY M__ . _____**

Page 1, after line 3, insert the following (and redesignate the succeeding section accordingly):

1 SEC. 2. FINDINGS.

2 Congress finds the following:

3 (1) This legislation is a continuation of the
4 Committee’s work throughout the 118th Congress to
5 protect and assist Elon Musk, the owner of “X” so-
6 cial media platform, formerly known as Twitter.

7 (2) On January 31, 2023, Mr. Musk met with
8 the new Speaker of the House of Representatives
9 and Chairman of the Committee (hereinafter re-
10 ferred to as the “Chairman”) without any represent-
11 atives from the minority, to discuss the First
12 Amendment and alleged censorship of conservatives.

13 (3) On February 15, 2023, the Committee
14 issued subpoenas to Meta, Google, Amazon, Micro-
15 soft and Alphabet. The accompanying letter stated:
16 “In contrast to [target “Big Tech” company], Twit-
17 ter recently set a benchmark for how transparent
18 Big Tech companies can be about interactions with

1 government over censorship.”. The Committee did
2 not open an investigation into Twitter.

3 (4) In May 2022, Twitter and the Federal
4 Trade Commission (hereinafter referred to as the
5 “FTC”) entered into a consent decree addressing
6 Twitter’s misrepresentations to consumers. Under
7 the terms of that decree, Twitter agreed to submit
8 to continued compliance monitoring by the FTC.

9 (5) On March 7, 2023, on the morning of the
10 Select Subcommittee on the Weaponization of the
11 Federal Government’s first “Twitter Files” hearing,
12 the Chairman accused the FTC in a report of “or-
13 chestrating an aggressive campaign to harass Twit-
14 ter...”. The Chairman’s basis for this allegation ap-
15 peared to be the FTC’s efforts to enforce the con-
16 sent decree.

17 (6) On March 10, 2023, the Chairman co-au-
18 thored a letter to the FTC arguing that the FTC
19 “made inappropriate and burdensome demands coin-
20 ciding with Elon Musk’s acquisition of the com-
21 pany”.

22 (7) On April 12, 2023, the Chairman issued a
23 subpoena and accused the FTC of “abuse of its stat-
24 utory authorities in investigating Twitter”.

1 (8) On July 5, 2023, Meta launched a compet-
2 itor to Twitter/X Corp. known as “Threads”. On the
3 same day, X’s attorney threatened legal action
4 against Meta.

5 (9) On July 13, 2023, the Chairman held an
6 oversight hearing featuring FTC Chair Lina Khan
7 and referred extensively to a motion that Twitter
8 had filed right before the hearing began against the
9 FTC.

10 (10) On July 17, 2023, Chairman Jordan wrote
11 to Meta demanding information and noting that
12 “Threads raises serious, specific concerns because it
13 has been marketed as rival of Elon Musk’s Twitter,
14 which has faced political persecution from the Biden
15 Administration following Musk’s commitment to free
16 speech.”. On July 25, 2023, Chairman Jordan
17 threatened to hold Mr. Zuckerberg in contempt of
18 Congress by noticing a markup.

19 (11) On July 17, 2023, Senator Elizabeth War-
20 ren wrote to U.S. Securities and Exchange Commis-
21 sion Chair Gary Gensler asking for him to inves-
22 tigate conflicts of interest relating to Mr. Musk re-
23 maining CEO of Tesla while also serving as CEO of
24 Twitter.

1 (12) On July 20, 2023, Twitter served a sub-
2 poena on Senator Warren, demanding that she
3 produce all documents relating to her communica-
4 tions with the U.S. Securities and Exchange Com-
5 mission.

6 (13) On July 28, 2023, Chairman Jordan sent
7 a letter to FTC Commissioner Alvaro Bedoya de-
8 manding any communications between him and Sen-
9 ator Warren’s former Chief of Staff and Adam
10 Green, “another progressive activist aligned with
11 Senator Warren.”.

12 (14) On July 18, 2023, Mr. Musk publicly at-
13 tacked the Center for Countering Digital Hate
14 (hereinafter referred to as “CCDH”), a nonprofit
15 critical of X’s failure to address disinformation and
16 hate speech on its platform. Mr. Musk called its
17 CEO, Imran Ahmed a “rat” and asks: “Who is
18 funding this organization? They spread
19 disinformation and push censorship, while claiming
20 the opposite. Truly evil.”.

21 (15) On July 20, 2023, the Select Sub-
22 committee on the Weaponization of the Federal Gov-
23 ernment held a hearing featuring Robert F. Ken-
24 nedy Jr., identified by the CCDH as one of the 12
25 most prolific spreaders of COVID-19 related misin-

1 formation. Almost as soon as hearing concluded, X
2 wrote to CCDH accusing it of trying to hurt its ad-
3 vertising business. On August 1, 2023, X sued the
4 CCDH. On August 3, 2023, Chairman Jordan wrote
5 to CCDH requesting broad swaths of documents.

6 (16) On March 25, 2024, a Federal judge dis-
7 missed Twitter’s lawsuit against CCDH, writing
8 that, “This case is about punishing [CCDH] for
9 their speech”.

10 (17) On June 25, 2024, the Chairman forced
11 CCDH CEO Imran Ahmed to appear for a tran-
12 scribed interview before the Committee, where
13 Ahmed confirmed that CCDH’s reports are an exer-
14 cise of its free speech.

15 (18) On May 5, 2023, the Chairman subpoe-
16 naed officials from the Global Alliance for Respon-
17 sible Media (hereinafter referred to as “GARM”)
18 and the World Federation of Advertisers (hereinafter
19 referred to as “WFA”) for “documents and commu-
20 nications related to their coordinated efforts to de-
21 monetize and censor disfavored speech online”.

22 (19) On July 10, 2024, the majority released
23 an interim report on GARM’s efforts to “control on-
24 line speech”. This report specifically claims that:
25 “GARM directed its members to boycott Twitter

1 after Elon Musk acquired the company. Although
2 Rob Rakowitz, the leader of GARM, denied having
3 done so in his transcribed interview before the Com-
4 mittee, a GARM member documented discussions
5 about the boycott, noting that the company had
6 pulled advertisements from Twitter based on
7 GARM’s recommendations.”.

8 (20) Recently, X refused to obey court orders
9 by Supreme Court Justice Alexandre de Moraes,
10 who shut down the company’s presence in the coun-
11 try and also imposed massive fines. The Chairman
12 has involved the Committee by writing to Federal
13 Bureau of Investigation Director Wray, requesting a
14 briefing from the Department of State, and even put
15 out two slanted reports publicly releasing what had
16 been sealed orders by Justice Moraes.

17 (21) The Committee has also become involved
18 in a dispute between Mr. Musk and the European
19 Commission. On August 12, 2024, then-Commis-
20 sioner Thierry Breton wrote a letter to X regarding
21 the then-upcoming broadcast planned on X’s plat-
22 form in the context of compliance with the European
23 Union’s Digital Services Act. Mr. Musk responded
24 by sharing a meme that invited Commissioner Bret-
25 on to “take a step back and literally, [expletive] your

1 own face”. This exchange prompted the Chairman to
2 send multiple letters accusing Commissioner Breton
3 of censorship.

4 (22) In July 2024, the New York Times re-
5 ported that Elon Musk is backing “America PAC”,
6 a political action committee which intended to spend
7 as much as \$160 million to help Republican Presi-
8 dential candidate Donald Trump and Republican
9 down-ballot candidates.

10 (23) In August 2024, the Wall Street Journal
11 reported that Elon Musk’s goal is to turn out
12 800,000 people to vote for Donald Trump in battle-
13 ground States.

14 (24) On August 12, 2024, Elon Musk inter-
15 viewed Donald Trump on the X platform.

16 (25) This week, Mr. Musk’s super PAC “Amer-
17 ica PAC” is spending more than \$2.1 million across
18 14 competitive House races and has set aside \$10
19 million for “voter turnout” in House races across
20 the country.

21 (26) On September 5, 2024, Donald Trump
22 said that if elected, he would place Elon Musk in
23 charge of a “government efficiency commission”.

24 (27) On September 15, 2024, following an as-
25 sassination attempt against Donald Trump, Elon

1 Musk tweeted, “And no one is even trying to assas-
2 sinate Biden/Kamala”, punctuating his sentence
3 with a thinking face emoji. Musk later deleted his
4 tweet.

