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**RECEIVED**  
FEDERAL ELECTION COMMISSION  
JANUARY 12, 2021 4:10 PM  
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January 12, 2021

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

**MUR 7868**

*Re: Complaint Against Twitter, Inc. Regarding In-Kind Corporate Contributions to Biden for President*

Dear Ms. Stevenson:

This letter constitutes a formal complaint filed under 52 U.S.C. § 30109(a)(1) of the Federal Election Campaign Act ("FECA"). It is submitted on my own behalf, and not on behalf of any client or other third-party. Based upon information and belief, as set forth below, I believe that Twitter, Inc. ("Respondent") has violated FECA and the Commission's Regulations by making corporate in-kind contributions to Biden for President ("Biden"), the principal campaign committee for former Vice President Joe Biden.

Twitter, Inc. may be found at its headquarters, located at 1355 Market Street, Suite 900, San Francisco, CA 94103.

**I. Background**

Throughout the 2020 Presidential campaign and in the aftermath of the election, respondent has engaged in a concerted effort to support and influence the election of Joe Biden as President.

On October 14, 2020, the New York Post published the first of several articles revealing emails discovered on Hunter Biden's computer, which appear to portray corruption by Joe Biden and his son. In particular, the emails appear to show that Hunter Biden traded on then-Vice President Biden's position in office to extract enormous fees from companies tied to the Chinese government and in Ukraine and to funnel these fees to his father as kickbacks. These emails suggest that Joe Biden repeatedly has lied in denying any knowledge of, or involvement with, Hunter Biden's activities.

In response, Twitter took unprecedented actions to suppress the articles from being shared on its platform. According to public reports, Twitter blocked users from sending “tweets” that include links to the articles. Twitter also suspended, or locked, the accounts of users who shared the articles or details about the articles, including the Trump campaign (@TeamTrump), White House Press Secretary Kayleigh McEnany (@kayleighmcenany), Republicans on the U.S. House Judiciary Committee (@JudiciaryGOP), and Jake Sherman of Politico (@JakeSherman).

This sort of interference and suppression in the 2020 election on behalf of the Democratic Party is not an isolated incident. Twitter often uses its search engine to filter out, and limit the reach and visibility of conservative, republican, and pro-Trump voices.<sup>1</sup> On information and belief, Twitter suppressed coverage of the Tony Bobulinsky story.<sup>2</sup> Twitter has suppressed coverage of election fraud related lawsuits.<sup>3</sup> And just as Twitter shadow banned in the past, they may be continuing to covertly shadow ban to contribute to the Biden campaign.<sup>4</sup> Twitter and Jack Dorsey have gotten more personally involved with editorial decisions, and this has contributed a like-kind contribution to Biden.<sup>5</sup> Additionally, this contribution is coordinated – Twitter’s Washington-based director of public policy Carolos Monje recently joined the Biden team.<sup>6</sup>

But perhaps most notable are Twitter’s notifications on all of Trump’s tweets noting his claims about election fraud are disputed, and notifications that the AP has called the race differently. This injects Twitter’s own editorial opinions and casts doubt on the claims of election fraud and the credibility of the president. This is an in-kind contribution, and equivalent to offering free advertising the Biden campaign. Due to the unique American electoral system, this influence has contributed to the election of Joe Biden by influencing judges, the Electoral College, and Congress itself, all of whom play a part in electing the President to be inaugurated January 20th, 2021. See *U.S. Constitution Amendment XII*.

## II. Analysis

Federal campaign finance law prohibits corporations from making contributions to federal candidates. 52 U.S.C. § 30118(a); 11 C.F.R § 114.2(b). The term “contribution” is defined in relevant part to mean “anything of value made by any person for the purpose of influencing an

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<sup>1</sup> <https://nypost.com/2018/08/04/how-twitter-is-fueling-the-democratic-agenda/>

<sup>2</sup> <https://www.newsweek.com/tucker-carlsons-tony-bobulinski-interview-viewed-over-25-million-times-twitter-trump-says-big-1543001>

<sup>3</sup> <https://www.foxbusiness.com/markets/twitter-claims-reversed-censorship-of-link-to-attorney-sidney-powells-lawsuit-seeking-to-decertify-overturn-georgia-election-results>

<sup>4</sup> <https://www.vice.com/en/article/43paqq/twitter-is-shadow-banning-prominent-republicans-like-the-rnc-chair-and-trump-jrs-spokesman>

<sup>5</sup> <https://www.fastcompany.com/40549979/when-jack-dorseys-fight-against-twitter-trolls-got-personal>

<sup>6</sup> <https://www.politico.com/news/2020/09/17/twitter-public-policy-director-decamps-for-biden-transition-team-417293>



election,” and includes in-kind contributions such as services. 11 C.F.R. §§ 100.52(a) & 100.52(d)(1).

a. Respondent’s Active Media Support Constitutes a “Thing of Value.”

Twitter’s actions have provided a thing of value to the Biden campaign. Twitter has provided more media value to the Biden campaign by acting as its undercover media operative than any outright ads ever could. Twitter has taken proactive steps to shield Biden from negative news coverage by blocking its distribution and suppressing those who attempt to share negative information, and it has cast doubt on all claims of election fraud by taking a position as a supposed neutral fact-checker, thus contributing to the election of Joe Biden.

b. Respondent’s Active Media Support is “For the Purpose of Influencing an Election.”

Twitter has openly supported Joe Biden and demonstrated hostility towards President Trump and other conservatives throughout the Trump Presidency. Twitter’s feud with President Trump is well known, as are its frequent efforts to censor the President’s tweets and the “shadow banning” of prominent Republicans, including RNC’s Chair, Ronna McDaniel, and several Republican Members of Congress. Respondent’s CEO, Jack Dorsey, and other senior executives are prolific donors to the Democrat party and other left-wing causes, with 98.7% of the company’s total political contributions going to Democrats. In addition, there appears to be a revolving door between the Biden campaign and the company, with Twitter’s Public Policy Director recently leaving to join the Biden transition team and Senator Kamala Harris’s former Press Secretary now serving as Respondent’s Senior Communications Manager. On information and belief, these connections demonstrate that Respondent’s activities have not been taken independently, but have been done in coordination with the Biden for President Campaign.

### **III. Prayer for Relief**

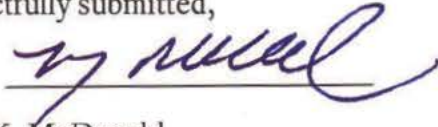
Twitter is a partisan actor, run by partisan Democrats, which has used its corporate resources to provide active support for Joe Biden’s campaign in violation of federal law. I therefore respectfully request that the Commission:

1. Conduct an immediate investigation into Twitter’s illegal in-kind contributions to the Biden campaign;
2. Find reason to believe that Twitter has violated 52 U.S.C. § 30118(a); 11 C.F.R. § 114.2(b); and
3. Impose the maximum penalty allowed under the law.

I HEREBY DECLARE and AFFIRM, under the penalties of perjury, that the matters and facts contained herein are true and correct upon information and belief.

Respectfully submitted,

By:



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*Signed and sworn to before me:*

