

October 27, 2020

Jack Dorsey  
Chief Executive Officer  
Twitter  
355 Market Street, Suite 900  
San Francisco, CA 94103

Re: Request for Preservation of Trump Administration Records on Twitter

Dear Mr. Dorsey:

As the United States approaches its next presidential transition process and the potential transfer of power, we respectfully request that Twitter immediately take steps to ensure that all Twitter content—including tweets and direct messages—sent or received by Trump administration officials on accounts used for official government business are collected and preserved. While government officials are legally obligated to preserve presidential and federal records created or stored on social media platforms, this administration’s actions cast serious doubts on whether they will comply with those obligations, and in many instances, they have already failed to do so. Given the administration’s pervasive use of Twitter for official business, and President Trump’s tendency to “govern by tweet,” it is all the more pressing that these records be meaningfully preserved.<sup>1</sup>

Your company could play a vital role in ensuring that the historical record of the Trump administration is accessible to the American public, Congress, and other government institutions. President Trump has repeatedly violated the platform’s terms of service and several prominent members of his administration have used the platform to violate federal law. Despite, or perhaps because of, this misconduct, Twitter has already made significant adjustments and exceptions to its rules and operations to account for the expanded use of its platform by government officials. Establishing and implementing a robust public protocol for the collection and retention of potential federal and presidential records created on Twitter is a necessary next step. Regardless of whether President Trump wins or loses re-election, we can expect significant turnover in government officials using Twitter to conduct the people’s business.<sup>2</sup> Consistent with Twitter’s existing policy related to elected world leaders, establishing a public protocol for the retention of tweets, direct messages and other records from accounts used by government employees in the conduct of government business will ensure that people are “able to see and debate” the “words and actions” of the Trump presidency as well as future presidential administrations.<sup>3</sup>

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<sup>1</sup> Masha Gessen, How Trump Governs by Tweet: Start with Outrage, Then Escalate, *The New Yorker*, Oct. 11, 2017, available at <https://www.newyorker.com/news/news-desk/how-trump-governs-by-tweet-start-with-outrage-then-escalate>.

<sup>2</sup> Robin Bravender and Tom LoBianco, GOP insiders expect a Cabinet exodus if Trump Wins. Here's Who They Think Will Jump Ship, and Who might serve all 8 years, *Business Insider*, Oct. 10, 2020, available at <https://www.businessinsider.com/trump-turnover-cabinet-biden-agencies-transition-devos-ivanka-jared-2020-9>.

<sup>3</sup> Twitter, World Leaders on Twitter, Jan. 5, 2018, available at [https://blog.twitter.com/official/en\\_us/topics/company/2018/world-leaders-and-twitter.html](https://blog.twitter.com/official/en_us/topics/company/2018/world-leaders-and-twitter.html).

## **The Trump Administration's Use of Twitter for Official Government Action**

President Trump and senior administration officials have routinely used Twitter to govern and communicate directly with the American public in their official capacities. Many of President Trump's most significant policy and personnel decisions have been announced using his @realDonaldTrump Twitter account, a nominally personal account that pre-dated his tenure in government. The myriad examples include his announcement in 2017, through a series of tweets, that he would issue a ban against transgender people serving in the United States military.<sup>4</sup> The intervening minutes between President Trump's initial tweet that he had been consulting with American generals and subsequent tweet that he was reversing policy related to transgender people serving in the military led to significant confusion, even inside the Pentagon.<sup>5</sup> In 2019, the President announced on Twitter the firing of Secretary of State Rex Tillerson and the appointments of Mike Pompeo and Gina Haspel as Secretary of State and CIA Director respectively.<sup>6</sup> Earlier this year, the President directed Congress to follow his Twitter account for notification of potential military action against Iran, adding that "Such legal notice is not required, but is given nevertheless!"<sup>7</sup> President Trump's frequent use of Twitter to announce major administration decisions confirms the assessment by the *New York Times* that, "[f]or Mr. Trump, Twitter is often the beginning of how policy is made."<sup>8</sup>

While it can and should be expected that government agencies use social media platforms to communicate with the American public, numerous Trump administration officials have created or used Twitter accounts in a quasi-governmental capacity, using them to conduct government business while often failing to abide by the basic requirements for government conduct. Many current and former senior Trump aides such as White House Deputy Chief of Staff for Communications Dan Scavino, Chief of Staff to the Vice President Marc Short, and White House Deputy Press Secretary Judd Deere have adopted Twitter handles featuring the number "45" to signify the 45th President of the United States.<sup>9</sup> In addition, several more

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<sup>4</sup> See Twitter, Event: Trump Bans Transgender People from Serving in US Military (July 26, 2017), <https://twitter.com/i/events/890200249884651520>.

<sup>5</sup> Andrew Buncome, Pentagon 'Worried Trump was Going to Declare War on North Korea' During Today's Tweets about Military, *The Independent*, July 26, 2017, available at <https://www.independent.co.uk/news/world/americas/us-politics/donald-trump-transgender-pentagon-fear-north-korea-declare-war-a7862091.html>.

<sup>6</sup> Donald J. Trump (@realDonaldTrump), Twitter (Mar. 13, 2018), <https://twitter.com/realDonaldTrump/status/973540316656623616>.

<sup>7</sup> Donald J. Trump (@realDonaldTrump), Twitter (Jan. 5, 2020), <https://twitter.com/realDonaldTrump/status/1213919480574812160>; see also, T.C. Sottek, Trump Tells Congress to Follow Him on Twitter for Updates on War with Iran, *The Verge*, Jan. 5, 2020, available at <https://www.theverge.com/2020/1/5/21050757/trump-iran-qassem-soleimani-attack-congress-twitter-follow-updates>.

<sup>8</sup> Michael D. Shear, Maggie Haberman, Nicholas Confessore, Karen Yourish, Larry Buchanan & Keith Collins, How Trump Reshaped the Presidency in 11,000 Tweets, *New York Times*, Nov. 5, 2020, available at <https://www.nytimes.com/interactive/2019/11/02/us/politics/trump-twitter-presidency.html>.

<sup>9</sup> See generally, Dan Scavino @Scavino45, Twitter, <https://twitter.com/scavino45> ("Official White House Twitter. Personal Twitter: DanScavino"); Marc Short @marcshort45, Twitter, <https://twitter.com/marcshort45> ("Chief of Staff for Vice President Mike Pence | Tweets may be archived: <http://WH.gov/privacy>"; Judd Deere @JuddPDeere, Twitter, <https://twitter.com/juddpdeere45> ("Deputy Assistant to @POTUS @realDonaldTrump and @WhiteHouse Deputy Press Secretary | Tweets may be archived: <http://WH.gov/privacy> | Personal: @JuddPDeere").

prominent administration officials, like former Senior Counselor Kellyanne Conway and first daughter and Senior Advisor Ivanka Trump, simply used their personal pre-existing Twitter accounts to conduct government business by communicating with millions of followers.<sup>10</sup> Finally, there are numerous current and former Trump administration aides who have traditionally less public roles, but still use Twitter to communicate with their followers about official government business.<sup>11</sup> While Twitter has labeled some handles as a “US government account” including White House Press Secretary Kayleigh McEnany’s “@PressSec” Twitter account, this effort has barely scratched the surface of Trump administration officials using Twitter accounts for the conduct of government business.<sup>12</sup>

### **Trump Administration Officials’ Use of Twitter to Flout Ethics and Transparency Rules**

Given that Twitter seems to be the preferred social media platform of President Trump, it should come as no surprise that the Trump administration’s barrage of illegal and unethical conduct also extends to this platform. The most glaring examples, of course, are the presidential tweets that federal law enforcement found to be evidence of potential criminal conduct. In his “Report on the Investigation into Russian Interference in the 2016 Presidential Election,” Special Counsel Robert Mueller cited the President’s statements on Twitter as “evidence that the President’s actions had the potential to influence [convicted criminal Paul] Manafort’s decision whether to cooperate with the government.”<sup>13</sup> On October 22, 2018, President Trump tweeted:

I feel very badly for Paul Manafort and his wonderful family. “Justice” took a 12 year old tax case, among other things, applied tremendous pressure on him and, unlike Michael Cohen, he refused to “break” - make up stories in order to get a “deal.” Such respect for a brave man!<sup>14</sup>

Mueller wrote that statements by President Trump’s personal attorney, combined with his tweet commending Manafort for being “a brave man” who “refused to ‘break,’” created the appearance that “a pardon was a more likely possibility if Manafort continued not to cooperate with the government. And while Manafort eventually pleaded guilty pursuant to a cooperation agreement,

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<sup>10</sup> See generally, Kellyanne Conway @KellyannePolls, Twitter, <https://twitter.com/KellyannePolls> (“Mom. Patriot. Catholic. Happy Warrior. Counselor. Survivor.”); Ivanka Trump @IvankaTrump, Twitter, <https://twitter.com/IvankaTrump> (“Wife, mother, sister, daughter. Advisor to POTUS on job creation + economic empowerment, workforce development & entrepreneurship. Personal Pg. Views are my own”).

<sup>11</sup> See generally, Andrew Giuliani @AndrewHGiuliani, Twitter, <https://twitter.com/AndrewHGiuliani> (“Currently serving the American public as Special Assistant to President Donald J. Trump until January 20, 2025”); Lynn Patton @LynnPattonHUD, Twitter, <https://twitter.com/lynnpattonhud> (“Working across the aisle to advance smarter policies, less regulation, increased funding, stricter inspections, more preservation & basic common sense in NY/NJ”).

<sup>12</sup> See, Kayleigh McEnany @PressSec, Twitter, <https://twitter.com/presssec> (“@WhiteHouse Press Secretary. Connecting the American People to President @realDonaldTrump’s agenda. Tweets may be archived: <http://wh.gov/privacy>.”).

<sup>13</sup> U.S. Department of Justice, Special Counsel Robert S. Mueller, III, Report on the Investigation into Russian Interference in the 2016 Presidential Election, Vol II at 131 (Mar. 2019), available at <https://www.justice.gov/storage/report.pdf>.

<sup>14</sup> Donald J. Trump (@realDonaldTrump), Twitter (Aug. 22, 2018), <https://twitter.com/realdonaldtrump/status/1032256443985084417>.

he was found to have violated the agreement by lying to investigators.”<sup>15</sup> Mueller also extensively cited President Trump’s tweets in his scathing report addressing potentially obstructive conduct directed towards witnesses in the probe as well as the firing of FBI Director James Comey.<sup>16</sup>

Numerous Trump administration appointees have been cited for violating federal law using Twitter. Since 2017, the Office of Special Counsel (OSC) has found that at least ten senior Trump administration aides, including Interior Secretary Ryan Zinke and U.S. Ambassador to the United Nations Nikki Haley, have violated the Hatch Act by impermissibly engaging in partisan political activity on the Twitter accounts that they use for government business.<sup>17</sup> While some of these violations were one time occurrences, others were part of a pattern of multiple violations. The most egregious example is Kellyanne Conway, who OSC indicated repeatedly broke the law by posting political messages with the Twitter account OSC found that she used for official government business.<sup>18</sup> Even after OSC’s “unprecedented” recommendation that Conway be removed from federal service, Conway continued to use Twitter to break the law dozens of times.<sup>19</sup> More recently, White House Director of Trade and Manufacturing Policy Peter Navarro has repeatedly engaged in impermissible political activity with the Twitter account that he uses to conduct government business.<sup>20</sup> He is currently under investigation by OSC.<sup>21</sup>

In addition to federal ethics laws, President Trump and his staffs’ Twitter use has raised transparency and other concerns as well. For example, the President has regularly deleted tweets

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<sup>15</sup> U.S. Department of Justice, Special Counsel Robert S. Mueller, III, Report on the Investigation into Russian Interference in the 2016 Presidential Election, Vol II at 131 (Mar. 2019), *available at* <https://www.justice.gov/storage/report.pdf>.

<sup>16</sup> *See generally*, U.S. Department of Justice, Special Counsel Robert S. Mueller, III, Report on the Investigation into Russian Interference in the 2016 Presidential Election (Mar. 2019), *available at* <https://www.justice.gov/storage/report.pdf>.

<sup>17</sup> *See*, Tal Axelrod, Federal Investigators Concluded Ryan Zinke's MAGA Socks Violated Hatch Act, *The Hill*, June 6, 2019, *available at* <https://thehill.com/homenews/administration/447302-federal-investigators-concluded-ryan-zinkes-maga-socks-violated-law>; Citizens for Responsibility and Ethics in Washington, Haley Reprimanded for Hatch Act Violation, Oct. 3, 2017, *available at* <https://www.citizensforethics.org/news/press-releases/haley-reprimanded-hatch-act-violation/>; Dartunorro Clark, 6 Trump officials engaged in political activity that violated Hatch Act, *NBC News*, Nov. 30, 2018, *available at* <https://www.nbcnews.com/politics/white-house/6-trump-officials-engaged-political-activity-violated-hatch-act-n942286>; Citizens for Responsibility and Ethics in Washington, FLOTUS Spokeswoman Reprimanded for Hatch Act Violation Following CREW Complaint, Sep. 21, 2018, *available at* <https://www.citizensforethics.org/news/press-releases/flotus-spokeswoman-reprimanded-for-hatch-act-violation-following-crew-complaint/>; Citizens for Responsibility and Ethics in Washington, Scavino Reprimanded for Hatch Act Violation, June 9, 2017, *available at* <https://www.citizensforethics.org/news/press-releases/scavino-reprimanded-hatch-act-violation/>.

<sup>18</sup> Office of Special Counsel, Report of Prohibited Political Activity, OSC File Nos. HA-19-0631 & HA-19-3395 (Kellyanne Conway), at 4, May 30, 2019, <https://go.aws/36TBelu> (“Second Conway Report”).

<sup>19</sup> Citizens for Responsibility and Ethics in Washington, Kellyanne Conway Eclipses 50 Hatch Act Violations on Twitter, Oct. 21, 2019, *available at* <https://www.citizensforethics.org/reports-investigations/crew-reports/kellyanne-conway-eclipses-50-hatch-act-violations-on-twitter/>.

<sup>20</sup> Citizens for Responsibility and Ethics in Washington, CREW Complaint: Navarro Should Be Terminated for Hatch Act Violations, Oct. 5, 2020, *available at* <https://www.citizensforethics.org/news/press-releases/crew-complaint-navarro-should-be-terminated-for-hatch-act-violations/>.

<sup>21</sup> Email from Office of Special Counsel Staff to Citizens for Responsibility and Ethics in Washington staff, Oct. 5, 2020.

that include typos and other errors, in potential violation of the Presidential Records Act (PRA), which makes clear that Trump's electronic communications are public property.<sup>22</sup> While President Trump's deleted tweets understandably invite lots of public scrutiny, deleted tweets by senior administration officials have garnered much less attention. In 2020, after calling attention to Peter Navarro's use of his Twitter account to break the law, Navarro removed the disclaimer from his bio stating that "Tweets may be archived: <http://wh.gov/privacy>" and then pulled down the account altogether, which could also violate the PRA.<sup>23</sup> Navarro remains on Twitter under a different handle that doesn't mention his government title in its bio.<sup>24</sup> White House officials have also continued to use the Twitter accounts that they created for the conduct of their government business after they left the Trump administration for the private sector.<sup>25</sup>

In addition to these abuses, the Trump administration has failed to set up appropriate protocols to ensure that potential presidential records created using Twitter, including tweets and direct messages, are retained and preserved for the National Archives and Records Administration (NARA). In April 2017, NARA's head, the Archivist of the United States, told the White House to preserve all of President Trump's tweets including the ones he corrects or deletes.<sup>26</sup> Although the White House reportedly said it would comply with this demand, it did not provide an explanation of how it would do so.<sup>27</sup> While third-party websites such as Trump Twitter Archive and Factbase have archived President Trump's tweets, and Politwoops preserves the deleted tweets of Trump and other government officials, it's unclear if these sites capture all of the Trump aides who use Twitter accounts to conduct government business.<sup>28</sup> Even more relevant is that none of these sites would be able to access Direct Messages sent to government officials on the Twitter accounts in question. Although NARA guidance clearly lists a "Twitter Direct Message" as a type of electronic communication that may need to be preserved under federal records laws, the White House archiving policy, which is often listed by administration officials on their accounts, only requires archiving of "tweets" and "mentions," not direct messages and other non-public communications stored in the accounts.<sup>29</sup> This concern

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<sup>22</sup> See *CREW v. Trump*, 924 F.3d 602, 603 (D.C. Cir. 2019) (quoting H.R. Rep. No. 95-1487, 95th Cong. at 2 (1978)).

<sup>23</sup> Letter from Noah Bookbinder, Executive Director, Citizens for Responsibility and Ethics in Washington to The Honorable Henry Kerner, Special Counsel, Oct. 5, 2020, available at <https://s3.amazonaws.com/storage.citizensforethics.org/wp-content/uploads/2020/10/05162431/Peter-Navarro-Hatch-Act-10-5-2020-FINAL.pdf>.

<sup>24</sup> *Id.*

<sup>25</sup> Citizens for Responsibility and Ethics in Washington, Why Can Former White House Officials Still Use Government Twitter Accounts?, Feb. 21 2019, available at <https://www.citizensforethics.org/reports-investigations/crew-investigations/white-house-officials-still-use-their-government-twitter/>.

<sup>26</sup> Stephen Braun, National Archives to White House: Save All Trump Tweets, *Associated Press*, Apr. 3, 2017, available at <https://apnews.com/article/60fd5d6a7ad942a083d1e6388b0c7b87>.

<sup>27</sup> *Id.*

<sup>28</sup> Rachel Treisman, As President Trump Tweets and Deletes, The Historical Record Takes Shape, *NPR*, Oct. 25, 2019, available at <https://www.npr.org/2019/10/25/772325133/as-president-trump-tweets-and-deletes-the-historical-record-takes-shape>.

<sup>29</sup> Compare National Archives and Records Administration, Bulletin 2015-02, July 29, 2015, available at <https://www.archives.gov/records-mgmt/bulletins/2015/2015-02.html> with The White House, Privacy Policy, available at <https://www.whitehouse.gov/privacy-policy/>, accessed Oct. 21, 2020.



is even more pronounced given reports of widespread use by White House officials of applications like Signal and Confide that automatically destroy potential presidential records.<sup>30</sup>

### **Twitter's Loopholes and Non-Enforcement Enable Trump Administration Misconduct**

During the Trump presidency, Twitter has taken significant steps to craft rules seemingly to address Donald Trump's abuse of the platform's clear rules. For example, in 2018, following widespread concern about the President's tweets that violated Twitter's policy banning "specific threats of violence or wishing for serious physical harm, death, or disease to an individual or group of people," the platform posted a blog explaining how its policy applies to world leaders.<sup>31</sup> The post explained that because "[e]lected world leaders play a critical role in that [global] conversation because of their outsized impact on our society," blocking or removing their tweets "would hide important information people should be able to see and debate."<sup>32</sup> Critics have lamented other "loopholes" in Twitter's rules that allow President Trump's offending tweets to remain on the platform including exceptions for "military or government entities" and "newsworthiness."<sup>33</sup> More recently, Twitter has taken action to fact check misinformation and post labels on President Trump's tweets if they violate the platform's ban on "glorifying violence" or other rules.<sup>34</sup>

While Twitter appears to have acknowledged that it has a special set of rules for "elected world leaders" that use its platform, it appears that in practice, these rules have also been extended to government officials who simply work for a world leader. The most glaring example, again, is Kellyanne Conway. Following OSC's "unprecedented" findings that Conway engaged in "egregious, notorious, and ongoing," violations of federal law using Twitter and other tools, CREW issued a report finding that in less than one year, she violated the Hatch Act on more than 50 occasions using the @KellyannePolls Twitter account which she used for both personal and official government business.<sup>35</sup> Several White House aides are currently under investigation for clear and repeated violations of the Hatch Act using Twitter including Peter Navarro and Ivanka Trump.<sup>36</sup> Given OSC's findings against Kellyanne Conway and obvious

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<sup>30</sup> Lily Hay Newman, Encryption Apps Help White House Staffers Leak—and Maybe Break the Law, *Wired*, Feb. 15, 2017, available at <https://www.wired.com/2017/02/white-house-encryption-confide-app/>.

<sup>31</sup> Abby Ohlheiser, The 3 Loopholes that Keep Trump's Tweets on Twitter, *Washington Post*, July 23, 2018, available at <https://www.washingtonpost.com/news/the-intersect/wp/2018/01/03/the-3-loopholes-that-keep-donald-trumps-tweets-on-twitter/>.

<sup>32</sup> Twitter, World Leaders on Twitter, Jan. 5, 2018, available at [https://blog.twitter.com/official/en\\_us/topics/company/2018/world-leaders-and-twitter.html](https://blog.twitter.com/official/en_us/topics/company/2018/world-leaders-and-twitter.html).

<sup>33</sup> Abby Ohlheiser, The 3 Loopholes that Keep Trump's Tweets on Twitter, *Washington Post*, July 23, 2018, available at <https://www.washingtonpost.com/news/the-intersect/wp/2018/01/03/the-3-loopholes-that-keep-donald-trumps-tweets-on-twitter/>.

<sup>34</sup> Elizabeth Dwoskin, Twitter's Decision to Label Trump's Tweets was Two Years in the Making, *Washington Post*, May 29, 2020, available at <https://www.washingtonpost.com/technology/2020/05/29/inside-twitter-trump-label/>.

<sup>35</sup> Citizens for Responsibility and Ethics in Washington, Kellyanne Conway Eclipses 50 Hatch Act Violations on Twitter, Oct. 21 2019, available at <https://www.citizensforethics.org/reports-investigations/crew-reports/kellyanne-conway-eclipses-50-hatch-act-violations-on-twitter/>.

<sup>36</sup> See Letter from Noah Bookbinder, Executive Director, Citizens for Responsibility and Ethics in Washington to The Honorable Henry Kerner, Special Counsel, Oct. 5, 2020, available at <https://s3.amazonaws.com/storage.citizensforethics.org/wp-content/uploads/2020/10/05162431/Peter-Navarro->

violations by other White House staff, this conduct also appears to violate Twitter's Terms of Service, requiring users to use the platform "only in compliance with ... all applicable laws, rules and regulations."<sup>37</sup> Twitter's rules admonish users that they are not allowed to "use our service for any unlawful service or in furtherance of illegal activities."<sup>38</sup> By using Twitter to violate the Hatch Act "for the purpose of interfering with or affecting the result of an election" this misconduct also runs afoul of Twitter's rules and should warrant the officials' suspension of their Twitter privileges.<sup>39</sup>

Government officials must be responsible for their own unethical or illegal behavior, but Twitter's failure to enforce its own rules against these individuals allows misconduct by the President and his staff to persist on its platform. Over the last four years, Twitter appears to have established new protocols and exceptions to address the challenges created by how President Trump and members of his administration use the platform while balancing competing public and institutional concerns. Twitter's actions and inaction have enabled abusive and potentially illegal conduct by the President and his senior aides using the platform, which is why Twitter can and should immediately develop and publish protocols to retain tweets, direct messages and other electronic media, created by, sent to, or received by Twitter accounts that government employees have used to conduct government business. Such a policy will certainly be met with opposition and perhaps hostility by the President, but the Trump administration's conduct makes clear that without any such policy in place, these official records are likely to be removed or destroyed. If Twitter takes immediate steps to retain this information, then there is at least the opportunity for NARA, Congress, the public, and any other interested parties to access them at some point in the future. Without taking such action, the opportunity for people to be "able to see and debate" many of the "words and actions" of the Trump presidency could be lost to history.<sup>40</sup>

We believe this proposed policy change is firmly in line with Twitter's goal to "remain unbiased with the public interest in mind," as it would apply to the current and all future administrations.<sup>41</sup> While we appreciate that it may be challenging for Twitter alone to identify all of the relevant accounts, we have copied the Archivist of the United States as well as the White House Counsel, who certainly can and should be able to assist. In addition, as one of many organizations in the good government community that has promoted transparency and ethical compliance from the Executive Branch, CREW is happy to lend any insight and expertise that may be useful in this process.

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[Hatch-Act-10-5-2020-FINAL.pdf](#); *see also*, Citizens for Responsibility and Ethics in Washington, [Ivanka Trump Violated the Hatch Act Eight Times in Just Over 48 Hours](#), Oct. 13 2020, *available at* <https://www.citizensforethics.org/reports-investigations/crew-investigations/ivanka-trump-violated-the-hatch-act-eight-times-in-just-over-48-hours/>.

<sup>37</sup> Twitter, [Twitter Terms of Service](#), *available at* <https://twitter.com/en/tos>, accessed Oct. 21, 2020.

<sup>38</sup> Twitter, [The Twitter Rules](#), *available at* <https://help.twitter.com/en/rules-and-policies/twitter-rules>, accessed Oct. 21, 2020.

<sup>39</sup> *See* Second Conway Report.

<sup>40</sup> Twitter, [World Leaders on Twitter](#), Jan. 5, 2018, *available at* [https://blog.twitter.com/official/en\\_us/topics/company/2018/world-leaders-and-twitter.html](https://blog.twitter.com/official/en_us/topics/company/2018/world-leaders-and-twitter.html).

<sup>41</sup> *Id.*

**Conclusion**

More than any of his predecessors, President Trump and his administration have routinely used Twitter in order to communicate directly with the American people and conduct government business. Unfortunately, the president and his staff have also repeatedly used this platform in ways that support unethical, and sometimes illegal, behavior, including President Trump attempting to influence witnesses in federal criminal investigations and senior White House aides engaging in unlawful political activity. Having provided a platform for this activity, and made exceptions to your rules that have allowed it to flourish, Twitter should now take steps to ensure that all tweets, direct messages, and all other information sent or received by accounts used for government business are preserved for posterity. Your company can and should work with the federal government and American public to meet this challenge, “to serve and help advance the global, public conversation” about our elected leaders, both now and far into the future.<sup>42</sup>

Thank you for your attention to this critical matter. We look forward to your prompt response.

Sincerely,



Noah Bookbinder  
Executive Director  
Citizens for Responsibility and Ethics in Washington

cc: The Honorable David Ferriero  
Archivist of the United States

Pat Cipollone  
White House Counsel

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<sup>42</sup> *Id.*