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The White House Covid Censorship Machine

Newly released emails show how officials coerce social-media companies to toe the government line.

By Jenin Younes and Aaron Kheriaty

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Newly released documents show that the White House has played a major role in censoring Americans on social media. Email exchanges between Rob Flaherty, the White House’s director of digital media, and social-media executives prove the companies put Covid censorship policies in place in response to relentless, coercive pressure from the White House—not voluntarily. The emails emerged Jan. 6 in the discovery phase of *Missouri v. Biden*, a free-speech case brought by the attorneys general of Missouri and Louisiana and four private plaintiffs represented by the New Civil Liberties Alliance.

On March 14, 2021, Mr. Flaherty emailed a Facebook executive (whose name we’ve redacted as a courtesy) with the subject line “You are hiding the ball” and a link to a Washington Post article about Facebook’s own research into “the spread of ideas that contribute to vaccine hesitancy,” as the paper put it. “I think there is a misunderstanding,” the executive wrote back. “I don’t think this is a misunderstanding,” Mr. Flaherty replied. “We are gravely concerned that your service is one of the top drivers of vaccine hesitancy—period. . . . We want to know that you’re trying, we want to know how we can help, and we want to know that you’re not playing a shell game. . . . This would all be a lot easier if you would just be straight with us.”

On March 21, after failing to placate Mr. Flaherty, the Facebook executive sent an email detailing the company’s planned policy changes. They included “removing vaccine misinformation” and “reducing the virality of content discouraging vaccines that does not contain actionable misinformation.” Facebook characterized this material as “often-true content” that “can be framed as sensation, alarmist, or shocking.” Facebook pledged to “remove these Groups, Pages, and Accounts when they are disproportionately promoting this sensationalized content.”

In that exchange, Mr. Flaherty demanded to know what Facebook was doing to “limit the spread of viral content” on WhatsApp, a private message app, especially “given its reach in immigrant communities and communities of color.” The company responded three weeks later with a lengthy list of promises.

On April 9, Mr. Flaherty asked “what actions and changes you’re making to ensure . . . you’re not making our country’s vaccine hesitancy problem worse.” He faulted the company for insufficient zeal in earlier efforts to control political speech: “In the electoral context, you tested and deployed an algorithmic shift that promoted quality news and information about the election. . . . You only did this, however, after an election that you helped increase skepticism in, and an insurrection which was plotted, in large part, by your platform. And then you turned it back off. I want some assurances, based in data, that you are not doing the same thing again here.” The executive’s response: “Understood.”

On April 14, Mr. Flaherty pressed the executive about why “the top post about vaccines today” is Tucker Carlson “saying they don’t work”: “I want to know what ‘Reduction’ actually looks like,” he said. The exec responded: “Running this down now.”

On April 23, Mr. Flaherty sent the executive an internal memo that he claimed had been circulating in the White House. It asserts that “Facebook plays a major role in the spread of COVID vaccine misinformation” and accuses the company of, among other things, “failure to monitor events hosting anti-vaccine and COVID disinformation” and “directing attention to COVID-skeptics/anti-vaccine ‘trusted’ messengers.”

On May 10, the executive sent Mr. Flaherty a list of steps Facebook had taken “to increase vaccine acceptance.” Mr.

Flaherty scoffed, “Hard to take any of this seriously when you’re actively promoting anti-vaccine pages in search,” and linked to an NBC reporter’s tweet. The executive wrote back: “Thanks Rob—both of the accounts featured in this tweet have been removed from Instagram entirely for breaking our policies.”

President Biden, press secretary Jen Psaki and Surgeon General Vivek Murthy later publicly vowed to hold the platforms accountable if they didn’t heighten censorship. On July 16, 2021, a reporter asked Mr. Biden his “message to platforms like Facebook.” He replied, “They’re killing people.” Mr. Biden later claimed he meant *users*, not platforms, were killing people. But the record shows Facebook itself was the target of the White House’s pressure campaign.

Mr. Flaherty also strong-armed Google in April 2021, accusing YouTube (which it owns) of “funneling” people into vaccine hesitancy. He said this concern was “shared at the highest (and I mean the highest) levels of the WH,” and required “more work to be done.” Mr. Flaherty demanded to know what further measures Google would take to remove disfavored content. An executive responded that the company was working to “address your concerns related to Covid-19 misinformation.”

These emails establish a clear pattern: Mr. Flaherty, representing the White House, expresses anger at the companies’ failure to censor Covid-related content to his satisfaction. The companies change their policies to address his demands. As a result, thousands of Americans were silenced for questioning government-approved Covid narratives. Two of the *Missouri* plaintiffs, Jay Bhattacharya and Martin Kulldorff, are epidemiologists whom multiple social-media platforms censored at the government’s behest for expressing views that were scientifically well-founded but diverged from the government line—for instance, that children and adults with natural immunity from prior infection don’t need Covid vaccines.

Emails made public through earlier lawsuits, Freedom of Information Act requests and Elon Musk’s release of the Twitter Files had already exposed a sprawling censorship regime involving the White House as well as the Centers for Disease Control and Prevention, the Department of Homeland Security, the Federal Bureau of Investigation and other agencies. The government directed tech companies to remove certain types of material and even to censor specific posts and accounts. Again, these included truthful messages casting doubt on the efficacy of masks and challenging Covid-19 vaccine mandates.

The First Amendment bars government from engaging in viewpoint-based censorship. The state-action doctrine bars government from circumventing constitutional strictures by suborning private companies to accomplish forbidden ends indirectly.

Defenders of the government have fallen back on the claim that cooperation by the tech companies was voluntary, from which they conclude that the First Amendment isn’t implicated. The reasoning is dubious, but even if it were valid, the premise has now been proved false.

The Flaherty emails demonstrate that the federal government unlawfully coerced the companies in an effort to ensure that Americans would be exposed only to state-approved information about Covid-19. As a result of that unconstitutional state action, Americans were given the false impression of a scientific “consensus” on critically important issues around Covid-19. A reckoning for the government’s unlawful, deceptive and dangerous conduct is under way in court.

Ms. Younes, litigation counsel at the New Civil Liberties Alliance, represents the private plaintiffs in Missouri v. Biden. Dr. Kheriaty is a senior scholar at the Brownstone Institute, a fellow at the Ethics and Public Policy Center and one of the plaintiffs.



U.S. Surgeon General Vivek Murthy delivers remarks during a news conference at the White House, July 15, 2021.
PHOTO: TOM BRENNER/REUTERS

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