

**Twitter Shareholder Meeting - Proposal #4 Statement**  
**Scott Shepard, Free Enterprise Project Coordinator**  
**National Center for Public Policy Research, May 27, 2020**

I'm Scott Shepard of the National Center for Public Policy Research and I move Proposal #4, which seeks to increase diversity within the Twitter community.

Presently, Twitter policy rejects discrimination under the explicit categories of “gender, race, national origin, sexual orientation, gender identity or expression, religion, age [and] disability.”<sup>1</sup> We make a very simple request: extend that policy to include protections against viewpoint discrimination.

Twitter's Careers page declares:

All voices welcome, all voices needed....

Open platform, open workplace. Healthy conversation is open and honest. At Twitter everyone speaks their minds, even when it's an unpopular opinion. That's because we respect and trust each other enough to make space for disagreement and debate.<sup>2</sup>

The way to welcome and protect “all voices” and to ensure that “everyone speaks their minds” is to safeguard people of all viewpoints from discrimination. This requires an enforceable prohibition against viewpoint discrimination. But Twitter refuses to take that step, and asks you as shareholders to support them in that refusal.

In its opposing statement, the company asserts that it need not add viewpoint to its non-discrimination policy because it “make[s] clear to applicants that we will not discriminate on the basis of any legally protected status.”<sup>3</sup> But it fails to note that it explicitly lists ways in which it will not discriminate that are not required by law in some American and foreign jurisdictions. In other words, it is willing to supplement the legally required minimum for categories when it wants to do so.

From these passages on Twitter's own website, we can only conclude that the company wishes to *pretend* to care about employees' free expression, while still wanting to be able to police and sanction unpopular speech on the sly.

This impression is confirmed by regular reports that Twitter actually does police and sanction speech of which it disapproves.<sup>4</sup> And this adds to the general impression of Silicon Valley

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<sup>1</sup> <https://legal.twitter.com/en/code-of-business-conduct.html>

<sup>2</sup> <https://careers.twitter.com/content/careers-twitter/en/tweep-life.html#VoicesStrong>

<sup>3</sup> <https://d18rn0p25nwr6d.cloudfront.net/CIK-0001418091/27d48491-72cc-46f4-8266-52a4d0b1e434.pdf>, at 32-33.

<sup>4</sup> <https://apnews.com/c8a542e2f22004c0c06cbbe1e1b58a52>; <https://www.reuters.com/article/us-twitter-content/twitter-tests-telling-users-their-tweet-replies-may-be-offensive-idUSKBN22H2DX>;

employees that those with viewpoints other than those which dominate Northern California actively face discrimination.<sup>5</sup>

Pretending to protect all viewpoints, while covertly policing those of large swathes of potential employees and customers, carries great risks: risks to market share, to reputation and to public perception. And the risk to Twitter is even greater, as its entire business model rests on a special exemption from libel and disparagement laws that apply to Twitter *exactly insofar as it is a neutral transmitter of communications rather than an active and partisan publisher*.<sup>6</sup> A failure to remain actively and aggressively neutral with regard to viewpoint will – and should – endanger that special legal privilege without which Twitter would collapse.

Twitter's future depends on its commitment to maintain viewpoint neutrality throughout its operations. Our Proposal provides the tool that Twitter needs in order to achieve that. We urge all shareholders to vote for Proposal #4, and in favor of protections against viewpoint discrimination.

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<https://pjmedia.com/election/tyler-o-neil/2020/05/23/is-twitter-trying-to-cover-up-joe-bidens-racist-remark-n420420>

<sup>5</sup> <https://www.wired.com/story/survey-finds-conservatives-feel-out-of-place-in-silicon-valley/>;  
<https://www.theguardian.com/technology/2017/aug/09/google-diversity-memo-conservatives-react>;  
<https://www.bloomberg.com/news/articles/2017-08-08/google-fires-employee-behind-controversial-diversity-memo>; <https://www.usatoday.com/story/news/nation/2014/04/04/mozilla-ceo-resignation-free-speech/7328759/>

<sup>6</sup> <https://www.city-journal.org/html/platform-or-publisher-15888.html>