

Congress of the United States

Washington, DC 20515

October 21, 2024

Automattic, Inc.
60 29th Street #343
San Francisco, CA 94110

To Whom It May Concern:

Flow HK is a website founded by pro-democracy activists who fled Hong Kong. Flow HK's exiled co-founder, who faces charges in Hong Kong stemming from his activism, describes it as "a media platform committed to promoting Hong Kong story, identity and culture, offering not only news commentary but also book and Hong Kong movie reviews."¹ According to recent news reports, your U.S.-based web hosting service was issued a notice under Hong Kong's National Security Law demanding you take down this website, making it unavailable for users not just in Hong Kong, but *around the world*.² Voice of America posted the following partial copy of the notice your company received.

香港警務處
香港灣仔軍器廠街一號
警察總部



HONG KONG POLICE FORCE
Police Headquarters,
No. 1 Arsenal Street,
Wanchai, Hong Kong

OUR REF: (5) in LM(5/2024) NSD/S/135/42/2830
YOUR REF:
TELEPHONE: (852) 3660 0761
FAX:

3 September 2024

To: Automattic Inc.
[By mail: privacypolicyupdates@automattic.com]

Dear Sir/Madam,

This is a notice under section 7(4)(b) of Schedule 4 to the Implementation Rules for Article 43 of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region ("Rules") to require the addressee company, namely Automattic Inc., as a hosting

Courtesy photo

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¹ <https://globalvoices.org/2024/10/09/hong-kong-police-told-a-us-tech-firm-to-take-down-diaspora-media-site-on-national-security-grounds/>

² <https://hongkongfp.com/2024/10/08/us-tech-firm-issued-notice-by-hong-kong-police-to-take-down-diaspora-media-site-flow-hk-on-national-security-grounds/>

³ <https://www.voacantonese.com/a/hk-police-demanded-us-web-hosting-firm-takedown-diaspora-media-website-for-national-security-crimes-before-website-became-inaccessible-in-hk/7812040.html>

According to news reports, “[your] company said it had not complied with the order and had notified the site owner.” This decision is appreciated, and not complying with this purported order was clearly the correct choice. Hong Kong’s effort to use its National Security Law to extraterritorially remove lawful content in the United States is unacceptable and American companies should not help facilitate such repression. As discussed at a recent Select Committee hearing, the CCP is increasingly using its laws – including Hong Kong’s National Security Law – as a mechanism to try to silence its critics even here in the United States.

As such, I respectfully request the following:

- Please confirm, as has been reported, that Automattic did not comply with the Hong Kong government’s order.
- Please provide a full copy of the order sent to you by the Hong Kong government.

Based on news reports, Automattic made the moral and ethical decision in this matter. All American web hosting services should be aware that Congress will not tolerate any restrictions on Americans’ access to such U.S.-hosted publications based on Hong Kong government demands that rest on an improper assertion of extraterritorial authority under its so-called National Security Law. Thank you for your decision and attention to this matter.

Sincerely,



Raja Krishnamoorthi
Ranking Member
House Select Committee on the CCP