Congress of the United States
Washington, DC 20515

May 12, 2022

Mr. Elon Musk
c/o Tesla Motors
13101 Harold Green Road
Austin, TX 78725

Dear Mr. Musk:

Your recent acquisition of Twitter presents the opportunity for transformational change of the organization. This a chance for you to restore the platform so it once again protects, values, and champions free speech. It is also a chance for you to correct a longstanding concern regarding the platform's provision of digital services to sanctioned entities, like those affiliated with the Islamic Republic of Iran, who are responsible for, among other things, the murder of American citizens. It is unacceptable that U.S.-designated foreign entities freely use Twitter, despite U.S. laws and regulations that prohibit the provision of goods and services to them. We therefore ask that as you begin to review Twitter's business practices and policies, you will work to ensure full compliance with U.S. laws prohibiting the provision of services to U.S.-designated entities.

In 1984, the Islamic Republic of Iran was designated as a State Sponsor of Terrorism. Today, it is one of only four countries currently designated as such. The Islamic Republic of Iran's Islamic Revolutionary Guard Corps (IRGC) is also a designated Foreign Terrorist Organization (FTO) as of April 2019. Further, the Supreme Leader of Iran, Ayatollah Ali Khamenei, was sanctioned in 2019, pursuant to Executive Order (E.O.) 13876. These designations, and many others, prohibit individuals and entities from providing material assistance, support, or services to listed individuals and entities. E.O. 13876, for example, specifies that the prohibition extends to, "the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked."

Similarly, under the FTO statute, U.S. persons are prohibited from providing "material support or resources" to an organization designated as an FTO. The phrase "material support or resources" is defined in law. As stated in 18 U.S.C. § 2339A(b)(1), it extends to "any property, tangible or intangible, or service." This includes, but is not limited to, "currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (one or more individuals who maybe or include oneself), and transportation, except medicine or religious materials."

By these standards, it is abundantly clear to us that Twitter is providing Supreme Leader Khamenei (@khamenei_ir) with a service that he continues to benefit from, a direct violation of E.O. 13876. Khamenei uses his Twitter accounts, which he maintains in multiple languages, to

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advance the foreign policy objectives of the Islamic Republic, a designated State Sponsor of Terrorism. Likewise, it is further apparent to us that in hosting a page for the IRGC (@Sepah_FA), Twitter also provides a tangible technological service to a designated FTO.

Khamenei, in particular, has used the platform to threaten violence, call for the eradication of the State of Israel and the Jewish people, and promote conspiracy theories and disinformation. He has posted tweets glorifying anti-Semitic terrorist groups, specifically Hamas and Palestinian Islamic Jihad. On May 7, 2021, Ayatollah Khamenei posted a tweet that glorified deceased anti-Semitic leaders from U.S.-designated terrorist groups, including the Islamic Revolutionary Guard Corps, Kata'ib Hezbollah, Hamas, Hezbollah, and Palestinian Islamic Jihad.

In addition to providing these services, it is possible that there has also been a level of *coordination* between these accounts and Twitter employees. For instance, should the accounts engage with Twitter support services to address technical questions, report users, or flag content, as is routine for Twitter users, this would be a troubling development. We urge you to thoroughly examine Twitter's practices to reveal the extent to which such coordination has or may continue to be taking place between Twitter and designated Iranian regime officials and entities.

Not only is Twitter providing a clear service to SDNs like Khamenei and FTOs like the IRGC, and potentially coordinating with them, it is also deriving a benefit from doing so. Twitter's revenue model is based primarily on advertising, which is driven by user engagement and web traffic. Between Khamenei's five accounts, (@khamenei_ir, @es_Khamenei, @Khameneiru, @Khamenei_fa, @ar_Khamenei), and the IRGC's one, there are a combined 1.6 million followers, which undoubtedly generates notable web traffic that is subsequently monetized by Twitter in countless ways. The Supreme Leader's posts regularly garner thousands of likes and his videos receive thousands of views. Further, we know Twitter also makes a profit by selling user data. Whether Twitter has profited from selling user data related to any of the Supreme Leader's accounts is something that we also urge you to carefully examine and consider.

Let us be clear: we stand for free speech and do not support arbitrary or political censorship by social medica companies. Free speech and the free flow of information on platforms like Twitter are key to maintaining healthy democracies both at home and abroad and we sincerely hope your acquisition of Twitter heralds a new era in this regard. However, the issue at hand here is markedly different. It is not a question of free speech, but of whether an American company should be providing a service, for which it gives and derives benefit, to designated and terrorist affiliated individual and entities. We believe strongly that the answer is a resounding, "No," which is why we urge you to examine this issue further and take action to comply with U.S. law.

The Iranian regime uses Twitter to upend free societies and threaten violence, which is exactly why the regime has been designated a State Sponsor of Terrorism and why many of its officials are on the SDN list today. These designations are not arbitrary or political. They are based on well-documented information and evidence, and approved only once subjected to a thorough interagency review by multiple federal agencies. Allowing designated individuals and entities to continue using Twitter to incite violence against American officials and citizens, call for the eradication of the Jewish State and its people, and promote its terrorist proxies, is in flagrant violation not only of Twitter's longstanding policies, but most importantly of U.S. law.

Thank you for your consideration to this important matter and we look forward to your prompt response to the concerns we have shared with you.

Sincerely,

Claudia Tenney
Member of Congress

Elise M. Stefanik
Member of Congress

Jim Banks
Member of Congress

Ken Buck
Member of Congress

Brian Fitzpatrick
Member of Congress

Brian J. Mast
Member of Congress

Jefferson Van Drew
Member of Congress

Ronny L. Jackson
Member of Congress

Barry Moore
Member of Congress