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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

December 16, 2022

Elon Musk
Chief Executive Officer
Twitter, Inc.
1355 Market Street
Suite 900
San Francisco, CA 94103

Dear Mr. Musk:

I know you are a father so I trust you will take this issue seriously.

I am gravely concerned about the apparent disconnect between your statements about eradicating online child sexual exploitation on Twitter and your company's actual efforts to do so. While you have claimed that "removing child exploitation is priority#1" for Twitter,¹ recent reports indicate that Twitter under your ownership is eliminating personnel who have worked to protect children and combat child sexual exploitation, including the sharing and collection of child sexual abuse material.² I write to seek information that will help clarify whether Twitter is endeavoring to make its platform safe for kids.

While Twitter certainly had room for improving online child safety before you acquired it,³ reports indicate that Twitter's approach to child safety has rapidly deteriorated on your watch. On December 8, three members of Twitter's Trust and Safety Council resigned, stating that "it is clear from research evidence that, contrary to claims by Elon Musk, the safety and wellbeing of Twitter's users are on the decline."⁴ On December 12, you dissolved the Trust and Safety Council

¹ See Elon Musk (@elonmusk), TWITTER (Nov. 24, 2022, 1:50 AM), https://twitter.com/elonmusk/status/1595671290421170179?ref_src=twsrc%5Etfw. See also *id.* (Nov. 29, 2022, 4:34 AM), <https://twitter.com/elonmusk/status/1597524485074485248> (fighting child sexual exploitation "will forever be [Twitter's] top priority.")

² Child sexual abuse material (referred to in federal law as "child pornography") is not protected speech under the First Amendment. See *New York v. Ferber*, 458 U.S. 747 (1982) and *Osborne v. Ohio*, 495 U.S. 103 (1990).

³ See Zoe Schiffer and Casey Newton, *How Twitter's Child Porn Problem Ruined Its Plans for an OnlyFans Competitor*, THE VERGE (Aug. 30, 2022), <https://www.theverge.com/23327809/twitter-onlyfans-child-sexual-content-problem-elon-musk>, and Sheila Dang and Katie Paul, *Brands Blast Twitter for Ads Next to Child Pornography Accounts*, REUTERS (Sept. 29, 2022), <https://www.reuters.com/technology/exclusive-brands-blast-twitter-ads-next-child-pornography-accounts-2022-09-28/>.

⁴ See Sarah Jackson, *3 Members of Twitter's Trust and Safety Council Quit: "Red Lines Have Been Crossed"*, BUSINESS INSIDER (Dec. 9, 2022), <https://www.businessinsider.com/3-members-twitter-trust-and-safety-council-quit-elon-musk-2022-12>, and Anne Collier (@annecollier), TWITTER (Dec. 8, 2022, 11:25 AM), <https://twitter.com/annecollier/status/1600889250761027585/photo/1>.

entirely, with no apparent plan to replace it.⁵ And worst of all for children, on November 29, *Bloomberg* reported that on your watch there has been a 50 percent reduction in staff at Twitter’s child safety team.⁶ This is unacceptable in light of Twitter’s global legal obligations to address online child abuse, to say nothing of its moral obligations.⁷

This barebones staff may explain why no one from Twitter attended a two-day CyberTipline roundtable held on December 6-8 at the National Center for Missing & Exploited Children that brought together industry, non-governmental organizations, and government representatives to explore how to protect children online. The absence of Twitter from a collaborative event such as this does not bode well for its continued commitment to other coalitions it has joined to protect children online, including the Technology Coalition, which seeks to “drive critical advances in technology and adoption of best practices for keeping children safe online,” and the WeProtect Global Alliance, which “brings together experts from the government, the private sector, and civil society to protect children from sexual exploitation and abuse.”⁸

It also stands in stark contrast to Twitter’s work in 2019 when it served as one of six industry representatives consulted by the five Country Ministerial government partners (Australia, Canada, New Zealand, United Kingdom, and the United States)⁹ to develop the *Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse*.¹⁰ The *Voluntary Principles* “outline measures that companies in the technology industry can choose to implement to protect the children who use their platforms from sexual abuse online and to make their platforms more difficult for child sex offenders to exploit.”¹¹ Twitter also later helped develop a guide “for industry, by industry” to “assist tech companies considering operationalizing” the *Voluntary Principles* as appropriate to their platform or service.¹² The recent news about Twitter’s child safety team and Trust and Safety Council suggests that Twitter’s work on this effort will become a historical anomaly.

In order to understand Twitter’s current efforts and commitments with respect to protecting children from sexual abuse online, please provide answers by December 30, 2022, to the following questions:

⁵ See Cat Zakrzewski, Joseph Menn, and Naomi Mix, *Twitter Dissolves Trust and Safety Council*, WASH. POST (Dec. 12, 2022), <https://www.washingtonpost.com/technology/2022/12/12/musk-twitter-harass-voel-roth/>.

⁶ See Olivia Solon and Jillian Deutsch, *Elon Musk’s Job Cuts Decimated Twitter Team Tackling Child Sexual Abuse*, BLOOMBERG (Nov. 29, 2022), <https://www.bloomberg.com/news/articles/2022-11-29/musk-s-cuts-decimated-twitter-team-tackling-child-sexual-abuse?leadSource=verify%20wall>.

⁷ See Morgan Meaker, *Layoffs Have Gutted Twitter’s Child Safety Team*, WIRED (Nov. 28, 2022), <https://www.wired.com/story/twitter-child-sexual-abuse-material/> (Twitter is reportedly down to one full-time employee for the Asia Pacific region, which is home to around 4.3 billion people, about 60 percent of the world’s population).

⁸ See <https://www.weprotect.org/alliance/private-sector/> and <https://www.technologycoalition.org/>.

⁹ See <https://www.weprotect.org/response/technology-industry/>.

¹⁰ Text available at <https://www.weprotect.org/wp-content/uploads/11-Voluntary-principles-detailed.pdf>.

¹¹ Department of Justice, *Department of Justice, Homeland Security and International Partners Announce Launch of Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse*, Press Release 20-274 (Washington, D.C.: Mar. 5, 2020), <https://www.justice.gov/opa/pr/department-justice-homeland-security-and-international-partners-announce-launch-voluntary>.

¹² Text available at <https://www.weprotect.org/wp-content/uploads/Guide-to-Voluntary-Principles.pdf>.

1. Prior to your acquisition of Twitter, how many personnel worked to address child safety at the company? What were their responsibilities? How much of Twitter's operating budget, in dollars and as a percentage, was spent to address online child sexual exploitation and promote child safety?
2. How many personnel are now working to address child safety? What are their responsibilities? How much of Twitter's operating budget, in dollars and as a percentage, is spent to address online child sexual exploitation and promote child safety?
3. If there has been a decrease in child safety staffing, how has that impacted Twitter's ability to respond to child sexual exploitation? Please provide quantitative information if available, such as any changes in the average response time to search warrants, court orders, or other lawful requests for information; any changes in the number of reports of child exploitation made to the CyberTipline; or any changes in the length of time involved in the processing and submission of CyberTips or removal of explicit content upon user request.
4. What policies or procedures does Twitter currently employ to promote online child safety?
5. What tools or resources does Twitter need to improve its response to online child sexual exploitation? What are your plans to develop or obtain those tools or resources?
6. As a signatory and founding participant, what steps is Twitter taking to implement the *Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse*? What steps is Twitter taking to encourage other companies to endorse or implement the *Voluntary Principles*?
7. As a member, what is Twitter doing to further the goals of the Technology Coalition and the WeProtect Global Alliance?

Thank you for your attention to this important issue. I look forward to your response.

Sincerely,



Richard J. Durbin
Chair

cc: The Honorable Charles E. Grassley, Ranking Member