



January 25, 2023

**Officers**

**Chair**

Judith L. Lichtman  
National Partnership for  
Women & Families

**Vice Chairs**

Margaret Huang  
Southern Poverty Law Center  
Derrick Johnson  
NAACP

Thomas A. Saenz  
Mexican American Legal  
Defense and Educational Fund

**Secretary**

Fatima Goss Graves  
National Women's Law Center

**Treasurer**

Lee A. Saunders  
American Federation of State,  
County and Municipal Employees

**Board of Directors**

Abed Ayoub  
American-Arab  
Anti-Discrimination Committee  
Gloria L. Blackwell  
AAUW

Ray Curry  
International Union, UAW

Jocelyn Frye  
National Partnership for  
Women & Families

Jonathan Greenblatt  
Anti-Defamation League

Mary Kay Henry  
Service Employees International Union

Damon Hewitt  
Lawyers' Committee for  
Civil Rights Under Law

David H. Inoue  
Japanese American Citizens League  
Virginia Kase Solomon  
League of Women Voters of the  
United States

Marc Morial  
National Urban League

Janet Murguía  
UnidosUS

Svante Myrick  
People For the American Way

Janai Nelson  
NAACP Legal Defense and  
Educational Fund, Inc.

Christian F. Nunes  
National Organization for Women

Rabbi Jonah Pesner  
Religious Action Center  
of Reform Judaism

Rebecca Pringle  
National Education Association

Lisa Rice  
National Fair Housing Alliance

Kelley Robinson  
Human Rights Campaign

Anthony Romero  
American Civil Liberties Union

Liz Shuler  
AFL-CIO

Fawn Sharp  
National Congress of American Indians

Maria Town  
American Association of  
People with Disabilities

Randi Weingarten  
American Federation of Teachers

John C. Yang  
Asian Americans Advancing Justice |  
AAJC

AAJC

AAJC

AAJC

AAJC

AAJC

AAJC

AAJC

AAJC

AAJC

AAJC

AAJC

AAJC

The Honorable Lina M. Khan  
Chair  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

Dear Chair Khan,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 230 national organizations to promote and protect the rights of all persons in the United States, we write in support of your potential investigation into Twitter, Inc., for violations of the 2011 privacy consent decree and the additional provisions added in the 2022 order.<sup>1</sup>

The Leadership Conference is committed to ensuring that media, telecommunications, technology, and privacy policies affirm and extend our nation's longstanding commitment to civil rights. We believe that privacy is a civil right, and strong privacy policies help to ensure that people's identities and characteristics cannot be used against them unfairly.

The consent decree Twitter entered into with the commission in 2011, and the additional provisions added in the 2022 order, serve to protect user data and, in doing so, help to connect people, facilitate civil rights advocacy, and add new voices to our culture and public debate. The decree requires that Twitter maintain a comprehensive privacy and information security program, prohibits any misrepresentation of Twitter's privacy and security measures, and mandates that the company submit to regular third-party assessments.

Since Elon Musk purchased Twitter in October 2022, experts have raised concerns that the company may already be in violation of the FTC's most recent order.<sup>2</sup> Musk has laid off top-

<sup>1</sup> See Brad Dress, "FTC Says It's 'Tracking the Developments at Twitter With Deep Concern,'" The Hill (Nov. 10, 2022), <https://thehill.com/policy/technology/3729355-ftc-says-its-tracking-the-developments-at-twitter-with-deep-concern/>; see also Ashley Gold, "Top FTC Official Warns Companies on Data," Axios (Dec. 15, 2022), <https://www.axios.com/2022/12/15/ftc-official-warns-consumer-protection-data>; see also Kurt Wagner and Leah Nylan, "Musk's Twitter Draws Deeper FTC Scrutiny Over Rising Privacy, Security Concerns," Bloomberg (Dec. 20, 2022), <https://www.bloomberg.com/news/articles/2022-12-20/musk-s-twitter-draws-deeper-ftc-scrutiny-over-rising-privacy-security-concerns?leadSource=verify%20wall>.

<sup>2</sup> Brian Fung, "Musk's Twitter May Have Already Violated Its Latest FTC Consent Order, Legal Experts Say," CNN (Nov. 11, 2022), <https://www.cnn.com/2022/11/11/tech/musk-twitter-ftc/index.html>.

President and CEO  
Maya Wiley

level staff responsible for compliance with the consent decree;<sup>3</sup> made changes to the platform that have exacerbated Twitter’s problems with financial scams, foreign disinformation, public safety threats, election disinformation, and hate speech;<sup>4</sup> and ignored concerns from Twitter executives and other internal staff about the need to comply with the consent decree while providing a select few reporters with unlimited access to user data and internal company messages.<sup>5</sup> Research has shown that the use of slurs on Twitter has increased between 30 and 200 percent since Musk purchased the company, and average engagement with these tweets is up over 250 percent.<sup>6</sup>

Musk’s public statements also raise concerns about his commitment to protecting the users on Twitter who are the most vulnerable to data abuse and the harm that comes with it. Shortly after purchasing Twitter, Musk met with leaders from the NAACP, Anti-Defamation League, Color of Change, and other civil rights groups, where he promised them that he would not make important content moderation decisions alone.<sup>7</sup> He subsequently walked back this promise and blamed these organizations for driving advertisers away from Twitter.<sup>8</sup> Subsequently, Musk has engaged online with extremists — calling for violence against the LGBTQ+ community while managing the platform in a way that encourages extremism and hate speech.<sup>9</sup>

Musk’s actions and statements raise serious concerns about Twitter’s management of user data and its apparent lack of commitment to address content moderation and the rampant spread of disinformation on the platform. We strongly support an FTC investigation to determine whether Twitter is in violation of the consent decree and urge the commission to hold the company accountable so that user privacy and civil rights are protected.

Thank you for considering our views. If you have any questions about the issues raised in this letter, please contact Jonathan Walter, policy counsel for the media & tech program, at [walter@civilrights.org](mailto:walter@civilrights.org), or Dave Toomey, voting rights and technology fellow, at [toomey@civilrights.org](mailto:toomey@civilrights.org).

---

<sup>3</sup> *Id.*

<sup>4</sup> Letter from Senators Richard Blumenthal, Diane Feinstein, Ben Ray Lujan, Elizabeth Warren, Edward J. Markey, Cory A. Booker, and Robert Menendez to Federal Trade Commission Chair Lina Khan, <https://www.menendez.senate.gov/newsroom/press/menendez-booker-urge-for-the-ftc-to-investigate-twitter>.

<sup>5</sup> Faiz Siddiqui, “Twitter Brings Elon Musk’s Genius Reputation Crashing Down to Earth,” *Washington Post* (Dec. 24, 2022), <https://www.washingtonpost.com/technology/2022/12/24/elon-musk-twitter-meltdown-tesla/>.

<sup>6</sup> Center for Countering Digital Hate, “The Musk Bump: Quantifying the Rise in Hate Speech Under Elon Musk,” (Dec. 06, 2022), <https://counterhate.com/blog/the-musk-bump-quantifying-the-rise-in-hate-speech-under-elon-musk/>.

<sup>7</sup> Brian Schwartz and Lauren Feiner, “Twitter Owner Elon Musk Met With Civil Rights Leaders Tuesday – Here’s What Happened.” *CNBC* (Nov. 2, 2022), <https://www.cnbc.com/2022/11/02/twitter-owner-elon-musk-sees-pressure-from-civil-rights-leaders.html>.

<sup>8</sup> Lora Kolodny and Jonathan Vanian, “Elon Musk Has Himself to Blame for Twitter’s Advertising Woes, Civil Rights Groups Say,” *CNBC* (Nov. 22, 2022), <https://www.cnbc.com/2022/11/22/elon-musk-has-himself-to-blame-for-twitter-ad-woes-activists-say.html>.

<sup>9</sup> Katherine Tangalakis-Lippert and Hanna Getahun, “Elon Musk Says His Politics Are in the Center but Extremism Experts Say He’s Using Twitter to Increasingly Empower Right-Wing Viewpoints,” *Business Insider* (Dec. 11, 2022), <https://www.businessinsider.com/elon-musk-right-wing-extremism-twitter-mythology-of-the-center-2022-12>.

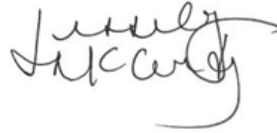
January 25, 2023  
Page 3 of 3



Sincerely,



Maya Wiley  
President & CEO



Jesselyn McCurdy  
Executive Vice President of Government Affairs

The Leadership Conference on Civil and Human Rights

CC:

Alvaro Bedoya, Commissioner, Federal Trade Commission  
Rebecca Slaughter, Commissioner, Federal Trade Commission  
Christine S. Wilson, Commissioner, Federal Trade Commission