

Congress of the United States

Washington, DC 20510

December 7, 2023

Julia Hartz
Chief Executive Officer
Eventbrite, Inc.
155 Fifth Street
Seventh Floor
San Francisco, CA 94103

Ms. Hartz:

We write to schedule a briefing regarding Eventbrite's Community Guidelines and Terms of Service. In the last few weeks, Eventbrite, it seems, has selectively enforced its terms of service by removing some events while allowing potentially violative events to remain on the site. We raise the issues below not to dictate or remove events and users from your marketplace, but to better understand your Community Guidelines enforcement process.

One example of Eventbrite's selective enforcement occurred on October 23, 2023, when Eventbrite removed an event listing titled, "Protecting Women's Sports with Riley Gaines," from its platform. This event, featuring Riley Gaines, director of the Riley Gaines Center at the Leadership Institute and former National Collegiate Athletics Association (NCAA) medaled swimmer, was scheduled to take place on the University of California, Davis campus on November 3, 2023. It was intended to be a public forum for participants, including female athletes, to express issues, experiences, and consequences of biological males competing in their competitions.¹ We struggle to comprehend the rationale for removing this event, while other Eventbrite listings that seemingly violate several of Eventbrite's Community Guidelines remain live, including some that feature speakers espousing allegiance to entities designated by the U.S. Government as foreign terrorist organizations.²

According to Gaines's X social media post on October 26 and public reporting, Eventbrite claimed that her event violated your company's Community Guidelines.³ However, there are several Eventbrite listings, as of October 27, that appear to violate Eventbrite's Community Guidelines. As you are aware, on October 7, Israeli citizens, including women,

¹ See Yael Halon, *Lia Thomas exposed 'male genitalia' in women's locker room after meet, Rile Gaines says: Dropped 'his pants,'* FOXNEWS (Feb. 9, 2023) ("We were not forewarned beforehand that we would be sharing a locker room with Lia. We did not give our consent, they did not ask for our consent, but in that locker room we turned around, and there's a 6'4" biological man dropping his pants and watching us undress, and we were exposed to male genitalia.").

² See e.g., Brittany Bernstein, *The Media's Favorite Israel-Bashing Pundit Reveals his Vile Antisemitism for All to See*, Nat'l Rev. (Oct. 30, 2023) <https://www.nationalreview.com/news/the-medias-favorite-israel-bashing-pundit-reveals-his-vile-antisemitism-for-all-to-see/>.

³ Riley Gaines (@Riley_Gaines), X (Oct. 26, 2023, 12:19AM); Chantz Martin, *Eventbrite marketplace removes Riley Gaines' 'Protecting Women's Sports,' cites community guidelines violation*, FOXNEWS (Oct. 25, 2023).

babies, and young children, were brutalized, kidnapped, and murdered by Hamas—a U.S. Government designated Foreign Terrorist Organization.⁴ Following that horrific attack, Eventbrite listed an October 27th “Rahm 4 Palestine (GAZA): Talk & Dinner,” featuring a headline speaker who, after the October 7 Israeli massacre, publicly posted on X antisemitic messaging that was viewed more than one million times.⁵ In one post, this featured speaker downplayed the massacre’s severity and repeated a common antisemitic trope:

What (sic) said by Israelis about rape of women and beheading of children by the Palestinians is an unreal media propaganda. These stories must be provided (sic) by evidence, and they don’t have any.

They control the media; you know it.

So do not follow their false path.

Be aware of this.⁶

A sold-out conference scheduled for November 10 in Washington, D.C., “Palestine Center 2023 Annual Conference,” was also promoted on Eventbrite. In advertising this event, organizers referred to the country of Israel as “Israeli apartheid” under Eventbrite’s “About this event” tab.⁷

Another Eventbrite listing, scheduled to have taken place on October 19, featured a speaker who, reportedly, played a character on a “Hamas [television] program” that instructed children to “shoot all Jews.”⁸ Immediately after the October 7 attacks against Israelis, this speaker lauded Hamas terrorists on the British Broadcasting Corporation (BBC) News as having accomplished a “legitimate and moral” operation. BBC News later apologized for airing the

⁴ See Jim Zanotti et al. *Israel and Hamas October 2023 Conflict: Frequently Asked Questions (FAQ)* CRS (Oct. 20, 2023), <https://crsreports.congress.gov/product/pdf/R/R47754>.

⁵ Eventbrite Rahma 4 Palestine (GAZA): Talk & Dinner (Oct. 27, 2023), <https://www.eventbrite.com/e/rahma-4-palestine-gaza-talk-dinner-tickets-739757844627>; Abudullahrushdy (@abudullahrushdy), X (Oct. 11, 2023, 5:20 PM) (as translated via Google translate) (“The Israel mentioned in the Qur’an is a human being, and it is “Our Master Jacob,” not the “occupying state.” Information: The Qur’an mentioned the pig and did not mention the lion “verbally” in this way, but this will not rob the pig of its contempt nor will it rob the lion of his prestige. *Pigs must feed themselves...in preparation for lions to prey on them.* Good morning, free Palestinian.”). <https://twitter.com/abudullahrushdy/status/1712216675968278938>.

⁶ Abudullahrushdy (@abudullahrushdy), X (Oct. 22, 2023, 7:41 AM). <https://twitter.com/abudullahrushdy/status/1716057169416552565> (emphasis added).

⁷ Eventbrite, *Palestine Center 2023 Annual Conference* (Nov. 10, 2023) <https://www.eventbrite.com/e/palestine-center-2023-annual-conference-tickets-721301601507?aff=ebdssbcategorybrowse>.

⁸ Brittany Bernstein, *The Media’s Favorite Israel-Bashing Pundit Reveals his Vile Antisemitism for All to See*, NAT’L REV. (Oct. 30, 2023) <https://www.nationalreview.com/news/the-medias-favorite-israel-bashing-pundit-reveals-his-vile-antisemitism-for-all-to-see/>; Eventbrite, *Gaza and the Struggle for Palestine Until Liberation: A Series for Palestine* (Oct. 19, 2023) <https://www.eventbrite.com/e/gaza-and-the-struggle-for-palestine-tickets-738016205337>.

segment.⁹ It appears that this Eventbrite hosted speaker has not been shy in sharing extremely offensive comments, including mocking the murder of an Israeli baby:



(source: X Platform)

This is just a snapshot of the Eventbrite platformed speakers and events that celebrate or support violence and harm against Israelis and the Jewish community worldwide.¹⁰

Because Gaines’s promotion of the widely held view to preserve women’s athletics starkly contrasts with events on Eventbrite featuring speakers sympathetic to genocide, this leads us to wonder if pro-terrorist and antisemitic events and event speakers do not plainly violate Eventbrite’s prohibition of content that would “discriminate against, harass, disparage, threaten, incite violence against, or otherwise target individuals or groups based on their actual or perceived race, ethnicity, religion, national origin...”¹¹ We seek information on what metrics Eventbrite uses to enforce its Community Guidelines on selected issues such as women’s athletics versus terrorism and antisemitism.

⁹ Georgia Leigha Gilhoy (@llggeorgia) X (Oct. 7, 2023, 1:28 PM); Adam Sherwin, *Israel-Gaza Conflict: BBC News says it was wrong to air comparison of Hamas attacks to Warsaw Ghetto uprising* iNews (Oct. 9, 2023). https://inews.co.uk/news/world/israel-gaza-conflict-bbc-news-wrong-comparis-hamas-warsaw-ghetto-uprising-2674452?ico=above_article_ticker (“While an interviewee who made comments on the Warsaw Ghetto was robustly challenged on air, we agree his comments were offensive and we don’t intend to use him again.”).

¹⁰ *Compare e.g., Eventbrite, Abolition and the Liberation of Palestine* (Nov. 1) (featuring Lara Kiswani) <https://www.eventbrite.com/e/abolition-and-the-liberation-of-palestine-tickets-744491984567?aff=ebdssbdestsearch> with YouTube, *UAW 2865 BDS Caucus event Nov. 12 at Berkeley* (statement of Lisa Kiswani at 00:00:18) (“bringing down Israel will benefit everyone in the world, everyone in society, particularly the workers.”) <https://www.youtube.com/watch?v=xqIH6zTtpUs&t=61s>, <https://www.eventbrite.com/e/abolition-and-the-liberation-of-palestine-tickets-744491984567?aff=ebdssbdestsearch>, YouTube, *UAW 2865 BDS Caucus event Nov. 12 at Berkeley* (statement of Lisa Kiswani at 00:01:01) (“That’s who I hate. And I think as long as you continue to be on that side, I’m going to continue to hate you.”) <https://www.youtube.com/watch?v=xqIH6zTtpUs&t=61s>,

¹¹ Eventbrite, Community Guidelines, <https://www.eventbrite.com/l/community-guidelines/>.

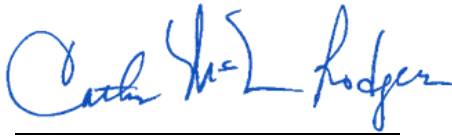
As such we ask you to schedule a briefing with the Committee as soon as possible, but no later than December 21, 2023. Please be prepared to answer questions regarding Eventbrite's decision to remove the Gaines event while other, more troubling events remained, including but not limited to, the following questions:

- (1) What Eventbrite team was responsible for reviewing and unpublishing Gaines's November 3 event at University of California, Davis?
- (2) What component(s) of Gaines's event violated Eventbrite's Community Guidelines?
- (3) Which specific guideline(s) did Gaines's event violate?
- (4) Do you use third parties to flag violations of Community Guidelines? If so, please provide a list of all third parties used to unpublish Gaines's event.
- (5) Were there multiple levels of review before Gaines's event was officially unpublished?
- (6) Why are pro-Hamas and antisemitic events allowed on Eventbrite?
- (7) Does Eventbrite allow terrorist organizations to use Eventbrite to, among other things, organize?
- (8) What list do you use to identify terrorist organizations?
 - a. If there is a conflict between the list you use and U.S. Government lists, how do you reconcile such a conflict?
- (9) Do pro-terrorist and antisemitic events and event speakers violate Eventbrite's prohibition of content that would "discriminate against, harass, disparage, threaten, incite violence against, or otherwise target individuals or groups based on their actual or perceived race, ethnicity, religion, national origin...."?¹²
- (10) Please provide information on what metrics Eventbrite uses to enforce its Community Guidelines on selected issues such as terrorism and antisemitism.
- (11) How many flags or complaints did Eventbrite receive for the Gaines event versus the events described above promoting antisemitism and terrorism? Compare the timeline, processes, and approval authorities for Eventbrite's review of these events.

¹² *Id.*

We appreciate your stated commitment to be “a platform that values diverse opinions and a vibrant community....” but are not confident that you are enforcing this policy with any consistency.¹³ Please contact staff of the Energy and Commerce Committee at (202) 225-3641 to schedule this briefing.

Sincerely,



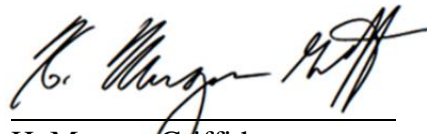
Cathy McMorris Rodgers
Chair
House Committee on Energy and
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Ted Cruz
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Gus M. Bilirakis
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Maria Cantwell, Chair, Senate Committee on Commerce, Science, and Transportation
Jan Schakowsky, Ranking Member, Subcommittee on Innovation, Data, and Commerce
Kathy Castor, Ranking Member, Subcommittee on Oversight and Investigations
Doris Matsui, Ranking Member, Subcommittee on Communications and Technology

¹³ *Id.*