

March 28, 2023

Phil Spencer  
Chief Executive Officer  
Microsoft Gaming  
One Microsoft Way  
Redmond, WA 98052

Dear Mr. Spencer:

I write to request information regarding Microsoft's actions to identify and remove content that broadcasts or promotes terrorism, violent extremism, hate crimes, or drug trafficking, as well as any efforts Microsoft has made to address the use of its platforms by those who perpetrate such acts.

Last May, a gunman committed a horrific and premeditated act of domestic terrorism that killed ten and injured three more at a Tops Friendly Markets in Buffalo, New York. The perpetrator not only livestreamed this act of white supremacist violence against the Black community on the Twitch platform, he also reportedly used a private, invite-only Discord server to detail his plan to attack for months.<sup>1</sup> I subsequently pressed these social media platforms on their roles in promoting extremist content.<sup>2</sup> It is becoming increasingly clear that extremists are using online games themselves, and not just social media, as instruments to radicalize and recruit; the Buffalo gunman himself noted on his Discord server that "playing Apocalypse Rising on Roblox gave [him] interests in survival and guns" and that he "probably wouldn't be as nationalistic if it weren't for Blood and Iron on roblox [sic]."<sup>3</sup>

Microsoft's *Minecraft*, like many online games, offers its users the opportunity to do more than play and enjoy a game, but also to create and foster individual and community relationships through the social elements provided. As positive as these attributes can be, for years extremists have exploited the community-building aspects of games to spread propaganda, radicalize and recruit users, and mobilize for terrorist activities. For instance, *Minecraft*, along with *Roblox*, has reportedly been used by extremists to create maps simulating Nazi

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<sup>1</sup> Jonah E. Bromwich, *Before Massacre Began, Suspect Invited Others to Review His Plan*, N.Y. TIMES (May 17, 2022), <https://www.nytimes.com/2022/05/17/nyregion/buffalo-shooting-discord-chat-plans.html?referringSource=articleShare>.

<sup>2</sup> Press Release, U.S. Senate Committee on the Judiciary, Office of the Chair, Durbin Presses Social Media Platforms on their Roles in Promoting Extremist Context (May 19, 2022), <https://www.durbin.senate.gov/newsroom/press-releases/durbin-presses-social-media-platforms-on-their-roles-in-promoting-extremist-context>.

<sup>3</sup> See Ben Goggin (@BenjaminGoggin), TWITTER (May 18, 2022, 12:41 PM), <https://twitter.com/BenjaminGoggin/status/1526966284294012929>.

concentration camps and Uyghur detainment camps.<sup>4</sup> In an anonymized review of chat and report logs of three *Minecraft* servers, watchdog groups found that hateful messages were 21 percent more likely to be found in public chats than private ones on *Minecraft*.<sup>5</sup> This is consistent with research indicating that online radicalization in games often starts with an invitation to join in or acquiesce to hateful language shared in public, which can identify members of the community to share similar sentiment.<sup>6</sup> Additionally, research has also found that 18 percent of adults, 15 percent of minors aged 13 to 17, and 11 percent of minors aged 10 to 12 have encountered white-supremacist extremism in *Minecraft*.<sup>7</sup> It is not just domestic extremists who exploit these features. The Mexican government has reported that cartels have also attempted to recruit players through the online components of XBOX Game Studio's *Gears of War*, among other games by other publishers.<sup>8</sup>

Unlike many of its industry peers, Microsoft's XBOX appears to be one of the only entities that has issued a transparency report.<sup>9</sup> Microsoft has also joined the Global Internet Forum to Counter Terrorism (GIFCT).<sup>10</sup> These are welcome developments. However, given the complexity of this kind of moderation, and the continued role of Microsoft and online games in facilitating the proliferation of violent extremism, it is crucial that Congress better understand what Microsoft is doing to address efforts by violent extremists to use its platforms to recruit, organize, and amplify violence and threats of violence. For this reason, please respond to the following requests as soon as possible, but no later than April 18, 2023:

1. Please produce Microsoft's community code of conduct, XBOX's community standards, *Minecraft*'s community standards (collectively the "aforementioned policies") from January 1, 2017 to present, including any changes to these policies regarding terrorism, violent extremism, threats, bullying, harassment, discrimination, use of slurs and other hate speech, and harmful off-platform speech or behavior.<sup>11</sup>

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<sup>4</sup> Carl Miller & Shiroma Silva, *Extremists using video-game chats to spread hate*, BBC NEWS (Sep. 23, 2021), <https://www.bbc.com/news/technology-58600181>.

<sup>5</sup> *Breaking the Building Blocks of Hate: A Case Study of Minecraft Servers*, ADL CTR. FOR TECH. & SOC'Y 15 (Jul. 26, 2022), [https://www.adl.org/sites/default/files/pdfs/2022-07/ADL\\_CTS\\_Minecraft%20Content%20Moderation%20Report\\_072622\\_v2.pdf](https://www.adl.org/sites/default/files/pdfs/2022-07/ADL_CTS_Minecraft%20Content%20Moderation%20Report_072622_v2.pdf).

<sup>6</sup> *Id.*

<sup>7</sup> *Hate is No Game: Hate and Harassment in Online Games 2022*, ADL CTR. FOR TECH. & SOC'Y 22-23 (Dec. 6, 2022), <https://www.adl.org/sites/default/files/documents/2022-12/Hate-and-Harassment-in-Online-Games-120622-v2.pdf>.

<sup>8</sup> Associated Press, *Mexico: drug cartels recruiting youths through video games*, ASSOCIATED PRESS (October 20, 2021), <https://apnews.com/article/technology-mexico-media-caribbean-drug-cartels-05525fb65583bcfbcd8d43631f8863ad>.

<sup>9</sup> *Id.* at 6.

<sup>10</sup> Io Dodds, *A time bomb 'supercharged' by the pandemic: How white nationalists are using gaming to recruit for terror*, THE INDEPENDENT (Apr. 7, 2022), <https://www.independent.co.uk/news/world/americas/gaming-violence-white-nationalists-online-b2051956.html>.

<sup>11</sup> As defined by Microsoft, XBOX, and Minecraft. See *Microsoft Community Code of Conduct*, MICROSOFT, <https://answers.microsoft.com/en-us/page/codeofconduct> (last visited March 27, 2023); *Community Standards for XBOX*, XBOX, <https://www.xbox.com/en-US/legal/community-standards?xr=footnav> (last visited March 27, 2023); *Community Standards*, MINECRAFT, <https://www.minecraft.net/en-us/community-standards> (last visited March 27, 2023).

2. Please explain why the aforementioned policies do not explicitly address terrorism, violent extremism, threats, bullying, harassment, discrimination, use of slurs and other hate speech, and harmful off-platform speech or behavior.
3. Please explain in detail, and produce documents sufficient to show, how Microsoft, XBOX, and *Minecraft* identify content that violates any of the aforementioned policies.
4. Please explain in detail, and produce documents sufficient to show, Microsoft, XBOX, and *Minecraft*'s process for removing content that violates the aforementioned policies, including the average time between when such content is posted and when it is removed.
5. Please quantify how much content on *Minecraft* and *Gears of War* has been found to violate each of the aforementioned policies since January 2020, broken down by month.
6. Please explain in detail, and produce documents sufficient to show, how Microsoft, XBOX, and *Minecraft* enforce compliance with the aforementioned policies; the consequences users face for violating these policies; whether penalties are escalated for repeat offenders; and what steps are taken to prevent users from circumventing penalties, such as banned users simply creating new accounts.
7. Please explain in detail, and produce documents sufficient to show, what efforts, if any, Microsoft, XBOX, and *Minecraft* engage in to identify and disrupt known extremist groups' use of the platform to radicalize and recruit.
8. Please explain in detail, and produce documents sufficient to show, what efforts, if any, Microsoft, XBOX, and *Minecraft* engage in to identify, monitor, and disrupt emerging extremist networks on the platform.
9. Please provide, and produce documents sufficient to show, what percentage of Microsoft, XBOX, and *Minecraft*'s yearly budgets support efforts to identify violations of and enforce compliance with the aforementioned policies.
10. Please provide, and produce documents sufficient to show, how many employees and/or contractors have roles where identifying violations of and enforcing compliance with the aforementioned policies is their primary responsibility.
11. Please explain in detail, and produce documents sufficient to show, how those employees and/or contractors who identify violations of, and enforce compliance with, the aforementioned policies fit into the overall organizational structures for Microsoft, XBOX, and *Minecraft*, and what role, if any, these employees and/or contractors play in the development of new products.

12. Please describe in detail, and produce documents sufficient to show, Microsoft, XBOX, *Minecraft*'s guidelines and parameters for recommending content to users, including both the curation of search results and targeted promotions based on user data.
13. Please describe in detail any actions planned, in progress, or completed by Microsoft, XBOX, and *Minecraft* to detect and prevent the use of the platform for broadcasting or promoting domestic terrorism and violent extremism.
14. The Microsoft Store on XBOX distributes *PUBG: Battlegrounds*. According to the survey referenced above, a high percentage of the user base of this game reports encountering white-supremacist extremism in-game: 30 percent of adults, 27 percent of minors aged 13 to 17, and 32 percent of minors aged 10 to 12. Please describe in detail, and produce documents sufficient to show, any content moderation standards Microsoft and XBOX require online video game publishers to meet in order for their games to be distributed through the Microsoft Store on XBOX and how Microsoft and XBOX assess and verify that a publisher meets these standards.
15. Please describe in detail any actions planned, in progress, or completed by Microsoft, XBOX, and *Minecraft* to coordinate with federal, state, local, and tribal governments and agencies to detect, prevent, or investigate violence or threats, including domestic terrorism and violent extremism.
16. Please describe in detail, and produce documents sufficient to show, what efforts Microsoft, XBOX, and *Minecraft* engage in internally, or allows externally, to systematically analyze the use of its platform by extremists or other malicious actors to radicalize and recruit.
17. Please describe in detail, and produce documents sufficient to show, any efforts Microsoft, XBOX, and *Minecraft* have engaged in through Microsoft's membership in GIFCT concerning the use of online gaming platforms by extremists to radicalize and recruit.
18. Please describe in detail, and produce documents sufficient to show, any other industry efforts Microsoft, XBOX, and *Minecraft* are engaged in regarding the development of best practices or industry standards concerning the use of online gaming platforms by extremists to radicalize and recruit.

Thank you for your attention to this important matter. I look forward to your prompt reply.

Sincerely,

A handwritten signature in blue ink that reads "Dick Durbin". The signature is written in a cursive style with a blue color.

Richard J. Durbin  
Chair

cc: The Honorable Lindsey Graham  
Ranking Member