

United States Senate

WASHINGTON, DC 20510-4606

January 29, 2024

The Honorable Janet Yellen
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

Dear Secretary Yellen,

I write with concern over the Department of Treasury's (the Department) failure to ensure sanctions compliance in digital advertising markets. In multiple instances in the previous two years, my staff has alerted the Department of instances of apparent sanctions violations by U.S. technology firms. Despite these repeated notifications, United States firms such as Alphabet and Meta continue to flout U.S. sanctions rules.

Various sanctions issued by the U.S. government bar corporations from certain transactions with sanctioned entities. Treasury already gives significant latitude to U.S. technology firms through the issuance of general licenses exempting "internet-based communications." These exemptions ensure that internet users in foreign countries can continue to access certain basic communications services, particularly in the context of repressive regimes under U.S. sanction. However, these exemptions are not meant to continue facilitation of sanctioned activity, or financially benefit sanctioned entities, and in response to inquiries from my staff the Department acknowledged that online advertising services are not covered by these general licenses. Notwithstanding this acknowledgement, however, the Department has continued to ignore repeated instances of non-compliance by U.S. technology firms.

For instance, public reports in November 2023 indicated that Google served ads – and provided publisher monetization and search solutions – to a range of sanctioned Iranian and Russian companies.¹ Even if, as Google has claimed, these relationships did not result in ad payments to sanctioned entities, Google's provision of web services to these sanctioned companies suggests a troubling inattention to compliance, particularly given the company's long track-record of ignoring fraud within the online ad ecosystem and of accusations of skirting U.S. sanctions laws.² Notably, Google's facilitation of ad delivery in countries under U.S. sanctions regimes has been a longstanding concern. In 2019, Wired reported that Google appeared to be exposing

¹ Kristie Pladson and Nico Martin, "Google Accused of Placing Ads on Sanctioned Web Pages," DW (Nov. 29, 2023), <https://www.dw.com/en/google-accused-of-placing-ads-on-sanctioned-web-pages/a-67584045>

² Letter from Senator Mark Warner to Federal Trade Commission Chairman Joseph Simons *re* Prevalence of Digital Ad Fraud Facilitated by Google (Oct. 25, 2018), <https://www.warner.senate.gov/public/index.cfm/2018/10/warner-calls-on-ftc-and-google-to-address-the-prevalence-of-digital-ad-fraud>

advertising clients to ad waste and potential sanctions violations.³ Similarly, ProPublica has reported on instances of Google ostensibly ignoring U.S. sanctions by monetizing a Serbian media outlet that has sought to promote separatist violence.⁴ ProPublica has also noted that Google’s provision of ad services to sanctioned companies has enabled them to harvest user data⁵ – potentially enabling Russian surveillance and influence activity.

Even more recently, reports suggest that Meta (parent of Facebook) flaunts U.S. sanctions rules, with recent reporting suggesting that the sanctioned Russian oligarch, Ilan Shor, has continued to use Facebook advertising for malign influence activity targeting Moldovan elections.⁶ My staff first inquired of the Department about apparent violations by Facebook in February 2023, when prior reports of Shor’s Facebook activity surfaced. This example is especially concerning given the Senate Select Committee on Intelligence’s extensive efforts to publicize the ways in which Russian influence actors exploited social media platforms like Facebook to target U.S. elections.

Nearly one year later, Facebook has continued to ignore U.S. sanctions laws – reportedly running hundreds of thousands of dollars in advertisements that, on their face (and in the recorded payment information), clearly indicated connection to the sanctioned oligarch. And, notably, this is not the only instance in which Facebook has been accused of profiting from sanctions non-compliance. A pair of whistleblower complaints in 2022 similarly accused the company of enabling influence activity by Russian-linked, sanctioned separatist leaders.⁷

This year, the world’s democracies will hold an unprecedented number of elections. In the wake of Russian efforts to influence U.S. elections in 2016, malign actors worldwide have increasingly embraced social media and online advertising tools as vectors for election influence. Given the centrality of U.S. firms to online advertising and social media markets worldwide, it is vital that the Department enforce compliance with U.S. sanctions.

Thank you for your attention to this matter.

Sincerely,



Mark R. Warner
U.S. Senator

³ Issie Lapowsky, “When Google Serves Ads in Iran, Advertisers Pay the Price,” *Wired* (May 15, 2019), <https://www.wired.com/story/google-ads-sanctioned-countries-iran/>

⁴ Craig Silverman et al, “How Google’s Ad Business Funds Disinformation Around the World,” *ProPublica* (Oct. 29, 2022), <https://www.propublica.org/article/google-alphabet-ads-fund-disinformation-covid-elections>

⁵ Craig Silverman, “Google Allowed a Sanctioned Russian Ad Company to Harvest User Data for Months,” *ProPublica* (July 1, 2022), <https://www.propublica.org/article/google-russia-rutarget-sberbank-sanctions-ukraine>

⁶ David Gilbert, “A US-Sanctioned Oligarch Ran Pro-Kremlin Ads on Facebook – Again,” *Wired* (Jan. 10, 2024), <https://www.wired.com/story/ilan-shor-facebook-ads-moldova-elections/>

⁷ Cat Zakrzewski et al, “Pro-Russian Rebels Are Still Using Facebook to Recruit Fighter’s, Spread Propaganda,” *Washington Post* (March 11, 2022), <https://www.washingtonpost.com/technology/2022/03/10/russia-rebels-sanctions-facebook/>