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IOWA DEPARTMENT OF JUSTICE
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A. G. Sulzberger, Publisher
The New York Times
620 Eighth Ave
New York, NY 10018

Daisy Veerasingham, CEO
Associated Press
200 Liberty Street
New York, NY 10281

Sir Mark Thompson, CEO and Editor in Chief
CNN
1 CNN Center
Atlanta, Georgia 30303

Paul Bascobert, President
Reuters
333 Bay Street Suite 400
Toronto, ON M5H 2R2 Canada

Dear Mr. Sulzberger, Ms. Veerasingham, Mr. Thompson, and Mr. Bascobert:

On October 7, designated terrorist organization Hamas began a massive terror attack against Israel. Hamas terrorists murdered and kidnapped many Americans. Supporting Hamas in any way is reprehensible. We, the chief legal officers of our respective States, also remind you that providing material support to terrorists and terror organizations is a crime.

Reporting [credibly alleges](#) that some of the individuals that your outlets hire have deep and troubling ties to Hamas—and may have participated in the October 7 attack. In the wake of those alarming reports, some of you have [cut ties](#) with these so-called journalists whose connections to terror groups have

become too obvious to hide. Good. But one factor in determining whether an organization has provided material support for terrorism is that it be “knowing.” That mental state is important—our States support press freedom and never seek to chill speech. But outlets such as yours cannot avoid their responsibility by refusing to perform hiring due diligence and then using that willful blindness as a basis to pay terrorists. If your outlet’s current hiring practices led you to give material support to terrorists, you must change these policies going forward. Otherwise, we must assume any future support of terrorist organizations by your stringers, correspondents, contractors, and similar employees is knowing behavior.

The long record of paying terrorists and possible terrorists for their work risks embroiling your outlets in investigations and the consequent loss of further credibility with the public. That is why a bipartisan group of lawmakers [sent a letter](#) to Reuters asking how its journalist knew to be available for the October 7 attack. Those lawmakers ask several questions that should be answered, including whether Reuters had prior knowledge of the attack and whether the Reuters journalist had contact with Hamas or its agents before the attack.

This is not a new problem. Five years ago, a media watchdog notified AP that one of its journalists [worked for the Hamas-affiliated Quds TV](#). On February 20, 2020, the *New York Times* published an [opinion piece](#) written by Sirajuddin Haqqani of the Taliban—a designated foreign terrorist organization. Mr. Haqqani himself is on the Department of Treasury’s Office of Foreign Assets Control [Sanctions List](#). Did the *Times* pay for that piece? If so, whom did it pay? Was that payment consistent with federal and State laws? These questions are still unanswered.

Material-support statutes recognize that organizations like Hamas “are so tainted by their criminal conduct that any contribution to such an organization facilitates that [criminal] conduct.” Federal law has long made the knowing provision of material support to designated foreign terrorist organizations like Hamas illegal. *See, e.g.*, 18 U.S.C. § 2339B. Section 2339A defines material support to include “any property, tangible or intangible, or service, including currency or monetary instruments . . . expert advice or assistance . . . communications equipment, facilities . . . and transportation, except medicine or religious materials.”

Many States, including Iowa, also recognize that providing material support for terrorism is illegal. Iowa Code’s terrorism definition includes “an act intended to intimidate or coerce a civilian population . . . by intimidation or coercion.” The massacre of October 7 meets that definition. Beyond terrorism itself, States like Iowa prohibit providing material support or resources to a person “in commission of an act of terrorism.” That includes “knowingly assisting or providing money,” “communication equipment,” “facilities” or other physical assets. Iowa is not the only such State: Alabama, Arizona, Arkansas, Florida, Illinois, Indiana, Iowa, Louisiana, Michigan, Missouri, Nevada, New Jersey, Ohio, Pennsylvania, Tennessee, and Virginia all have their own material-support statutes.

Material-support statutes have survived First Amendment scrutiny all the way up to the Supreme Court. *Holder v. Humanitarian Law Project* held that the terms “service,” “training,” and “expert advice or assistance,” within the definition of “material support,” include many activities. Those can include (a) “[m]aterial support meant to ‘promot[e] peaceable, lawful conduct;” (b) “training group members [of foreign terrorist organizations] to use humanitarian and international law to peacefully resolve disputes;” (c) “engaging in political advocacy on behalf of” [exiled foreign terrorists]; (d) “teaching [group members] how to petition various representative bodies such as the United Nations for relief”; (e) “offer[ing] legal expertise to negotiate peace agreements” on behalf of a foreign terror organization; and, most relevantly here, (f) writing and distributing publications supporting the organization.

The law distinguishes material support for terrorism from protected speech. The First Amendment and core free-speech principles protect the right to hold even disgusting views. For example, this letter does not call for any action regarding the *New York Times*’s decision to hire a reporter to cover the ongoing war in Israel—despite that reporter’s [praise for Adolf Hitler](#) and the “state of harmony” Hitler achieved while perpetrating the Holocaust. The repugnancy of those opinions does not make the *Times*’s hiring illegal; rather, readers can come to their own opinions about whether the *Times*’s judgment in embracing those opinions warrants spending their subscription money elsewhere.

Contrast that with the [serious allegations](#) that individuals hired by your organizations were [embedded](#) with Hamas and were present at the October 7 massacre. One of Hamas’s goals included magnifying and publicizing its

effects, as evidenced by its terrorists' own behavior. For example, they used [victims' own phones](#) to post videos and images of their savage invasion as it was ongoing. Paying embeds for their publicity efforts furthers Hamas's goals.

The *New York Times* is just one outlet that [has covered](#) the evidence that your outlets hire individuals with troublingly close ties to Hamas and terror organizations. One of the individuals who worked for Associated Press and Reuters was accused of posting a video showing that he was carrying a grenade on a motorcycle during the conflict. He later confirmed he was on the motorcycle but denied being “the person carrying the grenade.” The *Times* suggested there were many “red flags” about that journalist, including that he posed for a picture being kissed by Yahya Sinwar, the Hamas leader who “masterminded” the October 7 attack. That type of close relationship with a well-known terrorist mastermind should raise concerns for organizations worried about providing material support for terrorists—all the more because that journalist [was identified](#) to AP in 2018 for his relationship with Hamas. It is still unclear how media watchdog CAMERA could know that the journalist had potentially illegal ties to Hamas in 2018, alerted AP and others, and yet he remained employed through the October 7 massacre.

The *Times* own acknowledgment of these troubling issues has not prevented it from entering into its own transactions with terrorists and their allies. [Getty hosts](#) an 83-page archive of photographs by one of the photographers [used by the New York Times](#). That collection includes almost exclusively photos celebrating terrorists during their attacks and of terrorist military parades and training camps. Only a person with strong ties to Hamas and other terror organizations would be given such exclusive access.

The *Times* avoided giving Senator Tom Cotton a [meaningful response](#) to his legitimate concerns that the newspaper had provided material support for terrorists. It instead stated that “[n]o employee” was embedded with Hamas or had advance knowledge of the October 7 attacks. Notably absent from that defense are non-employees—freelancers, stringers, or other payees. Even more conspicuous is the absence of an acknowledgement that *Times*-paid photographers accompanied Hamas terrorists during the attacks. Rather than address whether it is furnishing material support to foreign terror organizations the *Times* quibbles over the capacity in which terrorists and supporters cashed the *Times*'s checks.

The digital trails connecting these individuals to Hamas are so evident that even cursory diligence should have uncovered them. While we applaud your fellow news organization NBC for taking [appropriate steps](#) after determining one of its freelancers was arrested and accused of “inciting terrorism and identifying with a terrorist organization,” it would have been better had NBC done its diligence beforehand.

We reiterate: material support of terrorist organizations is illegal. You should ensure that you are taking all necessary steps to prevent your organizations’ from contracting with members of terror organizations. We urge you in the strongest terms to take care that your hiring practices conform to the laws forbidding material support for terror organizations.

We will continue to follow your reporting to ensure that your organizations do not violate any federal or State laws by giving material support to terrorists abroad. Now your organizations are on notice. Follow the law.

Respectfully Submitted,



Brenna Bird
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Alabama Attorney General



Ashley Moody
Attorney General of Florida



Tim Griffin
Attorney General of Arkansas



Todd Rokita
Attorney General of Indiana



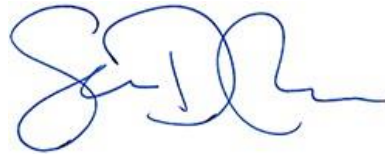
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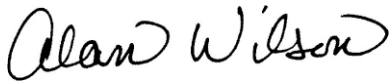
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