

October 6, 2020

Mr. Mark Zuckerberg
Chief Executive Officer
Facebook, Inc.
1 Hacker Way
Menlo Park, CA 94025

Dear Mr. Zuckerberg,

I write today to again urge you to implement stronger accountability and transparency standards in the context of our nation's upcoming election, including by fully implementing the requirements of the bipartisan Honest Ads Act. Facebook's policies have garnered considerable scrutiny given the platform's size and influence. Unfortunately, despite some modest improvements, Facebook continues to be a vector for disinformation, viral misinformation, and voter suppression efforts.

As you know, the Senate Select Committee on Intelligence's bipartisan, five-part report documented the ways in which Russia took advantage of our nation's openness, political polarization, and communications technologies, including exploiting American-bred social media platforms to spread disinformation, divide the public, and undermine our democracy. We know the Russian campaign to undermine this year's elections are well underway. But even beyond Russian activity, we must prepare for the efforts of a range of bad actors to weaponize the scale, opacity, and reach of social media via both paid advertising and organic content.

Unfortunately, our efforts to inhibit the rapid spread of disinformation is made more difficult by the proliferation of manipulated media created and disseminated by foreign and domestic bad actors. While I appreciate some of the steps Facebook has taken to label manipulated or synthetic content, it is evident that labeling has been wholly inadequate in either slowing the dissemination of deceptive content or properly contextualizing it for the majority of users. Indeed, leading disinformation researcher Kate Starbird recently described Facebook's label on voting disinformation spread by the President as "worse than nothing."¹

The pervasiveness of political misinformation on Facebook – and the ways in which your company chooses to *amplify* it – was on display just this week, when a baseless conspiracy about

¹ David Ingram, "Facebook and Twitter Keep Fact-Checking Trump on Voting by Mail. He's Undeterred," *NBC News* (September 29, 2020), available at <https://www.nbcnews.com/tech/tech-news/facebook-twitter-keep-fact-checking-trump-voting-mail-he-s-n1241339>

Vice President Biden was highlighted on Facebook’s own News Tab, a result of Facebook choosing to amplify The Daily Caller as a verified news publisher and fact-checker despite its long track record of promoting false information.² The ways in which Facebook’s platform amplifies harmful content received widespread coverage in the wake of a *Wall Street Journal* revelation that Facebook’s own researchers concluded that “64% of all extremist group joins are due to [Facebook’s] recommendation tools.”³ Not surprisingly, NBC News has reported that Facebook “has been key” the growth of the QAnon conspiracy theory – an anti-Semitic and anti-science right-wing movement considered a potential domestic terrorist threat by the FBI.⁴

More broadly, Facebook has repeatedly failed to ensure that its existing policies on political advertising are being enforced– an issue that my colleagues and I recently raised in a separate context relating to Facebook’s failure to enforce its policies against violent far-right organizations.⁵ Facebook has long been accused of facilitating divisive advertisements from dark money groups.⁶ A recent report by Avaaz revealed that despite Facebook’s claims to prohibit false and misleading information in ads by outside political groups, it allowed hundreds of such ads in key swing states earlier this month to be run by super PACs.⁷ And despite your personal pledge to stamp out voter suppression efforts on Facebook, a recent report by ProPublica revealed that voting misinformation continues to flourish on Facebook.⁸

Disinformation and misinformation on social media platforms like Facebook are a serious threat to the national security of the United States. As part of our continued commitment to ensuring our systems are less vulnerable to abuse, I request your answers to the following questions:

1. In both October 2018 and October 2019, I wrote you to encourage you to address widely-reported defects in Ad Library’s API that limited Facebook’s full compliance with the

² Lindsay Schrupp (@LindsaySchrupp), *Twitter* (September 29, 2020) available at <https://twitter.com/LindsaySchrupp/status/1311021080551788550>

³ Jeff Horwitz and Deppa Seetharaman, “Facebook Executives Shut Down Efforts to Make the Site Less Divisive.” *The Wall Street Journal* (May 26, 2020) available at <https://www.wsj.com/articles/facebook-knows-it-encourages-division-top-executives-nixed-solutions-11590507499>

⁴ Ari Sen and Brandy Zadrozny, “QAnon Groups Have Millions of Members on Facebook, Documents Show,” *NBC News* (August 10, 2020) available at <https://www.nbcnews.com/tech/tech-news/qanon-groups-have-millions-members-facebook-documents-show-n1236317>

⁵ Letter from Senator Mark Warner, Senator Mazie Hirono, and Senator Robert Menendez to Mark Zuckerberg Regarding Its Role in the Promotion of Violent Right-Wing Extremist Groups (June 30, 2020), available at <https://www.warner.senate.gov/public/index.cfm/2020/6/warner-hirono-menendez-demand-answers-from-facebook-regarding-its-role-in-the-promotion-of-violent-right-wing-extremist-groups>.

⁶ Issie Lapowky, “How Russian Facebook Ads Divided and Targeted US Voters Before the 2016 Election,” *Wired* (April 16, 2018) (describing research by Young Mie Kim on circumvention of FEC rules by dark money groups on Facebook) available at <https://www.wired.com/story/russian-facebook-ads-targeted-us-voters-before-2016-election/>; Robert Maguire, “Robert Mercer Backed a Secretive Group That Worked with Facebook, Google to Target Anti-Muslim Ads at Swing Voters,” *OpenSecrets.org* (April 5, 2018) available at <https://www.opensecrets.org/news/2018/04/exclusive-robert-mercero-backed-a-secretive-group-that-worked-with-facebook-google-to-target-anti-muslim-ads-at-swing-voters/>

⁷ Brian Fung, “Facebook Allowed Hundreds of Misleading Super PAC Ads, Activist Group Finds,” *CNN* (September 23, 2020) available at <https://www.cnn.com/2020/09/23/tech/facebook-super-pac-ads/index.html>

⁸ Ryan McCarthy, “‘Outright Lies’: Voting Misinformation Flourishes on Facebook” (July 16, 2020) available at <https://www.propublica.org/article/outright-lies-voting-misinformation-flourishes-on-facebook>

Honest Ads Act and undermined the ability of researchers to identify exploitation of your platform. Why have you refrained from fixing these defects one year later?

2. Facebook's Ad Library continues to provide only rudimentary data associated with ad targeting, in contravention of the letter and intent of the Honest Ads Act. While Facebook claims that doing so would undermine user privacy, even Facebook's former Chief Security Office has advocated for Facebook to furnish this information and others have characterized this rationale as pretextual.⁹ Will you commit to providing information on political ad targeting in the Ad Library as required by the Honest Ads Act, including contact information necessary to identify dark money groups?
3. Researchers have continually identified instances where advertisers have run advertisements that omitted key details required by the Honest Ads Act and Facebook's own rules. Please explain why these failures continue, including in an election year.
4. The omission of data in the Ad Library further damages political discourse by disallowing campaigns, candidates, and organizations from responding to misinformation in an effective way. The lack of targeting data is particularly concerning in light of your platform's ill-conceived ad policy for politicians, limiting the ability of campaigns and candidates to respond to outright falsehoods Facebook permits from candidates.¹⁰ Will you commit to strengthening targeting data disclosure to improve multi-party discourse through advertising on your platform?
5. Facebook has been accused of externalizing to researchers and investigative journalists the responsibility of policing misuse of its platform, even as it profits from such misuse in the context of fraudulent, false, and violating ads. Will Facebook adopt the equivalent of a bug bounty to remunerate researchers who identify violations of Facebook's policies, particularly in the context of advertisements that violate Facebook's terms of service and advertising policies?
6. Your decision to implement a blackout period for new ads in the week preceding the election will undoubtedly *magnify* the effects of – and attention towards – organic content in the critical days before the election. However, multiple reports have demonstrated that Facebook continues to disproportionately promote right-wing organic content – even as its purveyors have been caught violating Facebook's rules to amplify this content via shadowy and coordinated Facebook Groups.¹¹ Why has Facebook continued to provide special treatment to right-wing groups that have violated its policies and will Facebook continue to look the other way as they engage in coordinated inauthentic behavior to boost divisive and false organic content during the blackout period?
7. For several years now, I have expressed grave concerns to both you and Sheryl Sandberg about the ways in which WhatsApp's architecture and the app's features facilitate the

⁹ Natasha Lomas, "Facebook accused of blocking wider efforts to study its ad platform." *Tech Crunch* (April 29, 2019) available at <https://techcrunch.com/2019/04/29/facebook-accused-of-blocking-wider-efforts-to-study-its-ad-platform/>

¹⁰ Daniel Kreiss and Matt Perault, "Four Ways to Fix Social Media's Political Ads Problem — Without Banning Them." *The New York Times* (November 16, 2019) available at <https://www.nytimes.com/2019/11/16/opinion/twitter-facebook-political-ads.html>

¹¹ Judd Legum and Tesnim Zekeria, "The Dirty Secret Behind Ben Shapiro's Extraordinary Success on Facebook," *Popular Information*. (June 25, 2020) available at <https://popular.info/p/the-dirty-secret-behind-ben-shapiros>

wide and rapid spread of false information – often with deadly consequences. Belatedly, the company has incorporated some of the reforms that civil society groups and I have urged, including limiting message forwarding. While most of the damage caused by WhatsApp has been observed outside the U.S.¹², a recent report by *Politico* indicates that WhatsApp is a key vector for the spread of disinformation and misinformation – including dangerous conspiracy theories like QAnon – in Florida in this election cycle.¹³ What are you doing – including immediate and permanent reforms – to address this growing threat WhatsApp poses in the United States given the ways in which it has facilitated violence and electoral turmoil in other countries?

8. According to Facebook’s own advertising policies, the platform “prohibits ads that include claims debunked by third-party fact-checkers or, in certain circumstances, claims debunked by organizations with particular expertise” and that “Advertisers that repeatedly post information deemed to be false may have restrictions placed on their ability to advertise on Facebook.” Will you commit to proactively taking down any ads that violate Facebook’s prohibition against false and misleading political ads? Further, will you rescind the advertising privileges of entities that have repeatedly violated Facebook’s terms of service?
9. Given the extent to which Facebook’s own recommendation and News Feed algorithms help promote verifiably false information, will you commit to proactively circulating posts from Facebook’s fact-checking partners in the news feeds of users previously exposed to false and misleading ads?

Russia’s attacks on our democracy were amplified by social media and our failure to anticipate the misuse of American media – both traditional media and social – by foreign bad actors. But we’ve also increasingly seen domestic actors utilize – and iterate on – the media manipulation techniques utilized by Russia, spreading disinformation and misinformation, sowing and exacerbating social, political, and racial tensions, and undermining confidence in the upcoming election. Unfortunately, the failure of social media platforms to sufficiently address these threats – and the failure of Congress to respond effectively through passage of essential regulation like the

¹² Timothy McLaughlin, “How WhatsApp Fuels Fake News and Violence in India,” *Wired* (December 12, 2018) available at <https://www.wired.com/story/how-whatsapp-fuels-fake-news-and-violence-in-india/>; Tony Romm, “Fake Cures and Other Coronavirus Conspiracy Theories Are Flooding WhatsApp, Leaving Governments and Users with A ‘Sense of Panic,’” *The Washington Post* (March 2, 2020) available at <https://www.washingtonpost.com/technology/2020/03/02/whatsapp-coronavirus-misinformation/>; Noah Kulwin, “WhatsApp Is Causing A Serious Fake News Problem in Brazil,” *Vice News* (November 17, 2018) available at https://news.vice.com/en_us/article/mbpkyy/whatsapp-is-causing-a-serious-fake-news-problem-in-brazil; Ben Popken, “How WhatsApp Became Linked to Mobile Violence and Fake News – And Why It’s Hard to Stop,” *NBC News* (November 2, 2018) available at <https://www.nbcnews.com/tech/tech-news/how-whatsapp-became-linked-mob-violence-fake-news-why-it-n929981>

¹³ Sabrina Rodriguez and Marc Caputo, “‘This Is F—ing Crazy’: Florida Latinos Swamped by Wild Conspiracy Theories,” *Politico* (September 14, 2020) available at <https://www.politico.com/news/2020/09/14/florida-latinos-disinformation-413923>

Honest Ads Act – has meant that nearly three-quarters of Americans have little or no confidence in large platforms preventing misuse of their services in the upcoming election.¹⁴

Ahead of the next month’s election, I urge you to take all possible steps to reinforce Facebook’s efforts against abuse of both your paid political content and organic content policies. I also request that you more aggressively identify, more prominently label, or ideally remove manipulated or synthetic media ahead of the election to prevent the amplification of disinformation from Russia and those following their playbook.

Thank you for your attention to this matter and I look forward to your response.

Sincerely,



Mark R. Warner

United States Senator

¹⁴ Ted Van Green, “Few Americans Are Confident in Tech Companies to Prevent Misuse of Their Platforms in the 2020 Election,” *Pew Research* (September 9, 2020) available at <https://www.pewresearch.org/fact-tank/2020/09/09/few-americans-are-confident-in-tech-companies-to-prevent-misuse-of-their-platforms-in-the-2020-election/>