



One Hundred Sixteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

June 10, 2020

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

Dear Mr. Zuckerberg:

We are writing with respect to the recent escalation of violent, harassing, and dangerous rhetoric that President Donald J. Trump continues to espouse on social media. We have seen time and again that social media activity on one platform has a ripple effect across all others. Two weeks ago, the world was focused on Twitter's bold, decisive actions to limit content intended to deceive, misinform, and glorify violence.¹ Last week, Snapchat announced it would stop promoting President Trump's account.² Yet, despite pleas from the civil rights community and your own employees, Facebook has refused to demonstrate the same resolve as its competitors.³

Over the past few weeks, the President has taken to social media to push increasingly incendiary, violent, and abhorrent messages – starting with a baseless conspiracy accusing a former Congressman of murdering a staffer⁴ and followed by a video gloating that “the only good Democrat is a dead Democrat.”⁵ On May 29, President Trump escalated yet again by calling protesters in Minneapolis “THUGS” and swearing that “any difficulty and [the military] will assume control but, when the looting starts, the shooting starts”⁶ – suggesting that the National

¹ Cecilia Kang & Kate Konger, “Snap Says It Will No Longer Promote Trump’s Account,” *The New York Times* (June 3, 2020), <https://www.nytimes.com/2020/06/03/technology/snapchat-trump.html>.

² *Id.*

³ Mike Isaac, et. al, “Zuckerberg Defends Hands-Off Approach to Trump’s Posts,” *The New York Times* (June 3, 2020), <https://www.nytimes.com/2020/06/02/technology/zuckerberg-defends-facebook-trump-posts.html>.

⁴ See e.g. Donald J. Trump, “Psycho Joe Scarborough,” Facebook post (May 27, 8:45 am), <https://www.facebook.com/DonaldTrump>.

⁵ Aaron Blake, “‘The Only Good Democrat is a Dead Democrat.’ ‘When the Looting Starts, the Shooting Starts.’ Twice in 25 Hours, Trump Tweets Conspicuous Allusions to Violence,” *The Washington Post* (May 29, 2020), <https://www.washingtonpost.com/politics/2020/05/28/trump-retweets-video-saying-only-good-democrat-is-dead-democrat/>.

⁶ *Id.* Donald J. Trump, “I can’t stand back,” Facebook post (May 29, 1:10 am), <https://www.facebook.com/DonaldTrump>.

Guard would shoot looters. The comment was so abhorrent that even the right-wing militia group, the Oath Keepers, called the tweet “a disaster” and urged Trump to “retract that statement ASAP.”⁷

This period was also characterized by authoritarian threats against social media companies that stand in his way. On May 26, the President spread patently false information on social media platforms -- including Facebook -- describing the common practice of sending mail-in ballots as tantamount to rigging an election.⁸ Twitter labeled the post with an innocuous link directing users to “get the facts.” The President responded with a series of tweets accusing social media companies of censorship and threatening to use the power of his office to punish platforms through regulation, executive action, and even “clos[ing] them down.”⁹ Within 24 hours, the President had indeed signed an egregious Executive Order on Preventing Online Censorship, purporting to strip legal protections for platforms that “stifle viewpoints with which they disagree.”¹⁰

To its credit, Twitter has stared down these threats and continued to enforce its terms of service. Early in the morning of May 29, the platform took the unprecedented step of posting a warning label on Trump’s tweet about protestors in Minneapolis, on the grounds that the tweet “violates our policies regarding the glorification of violence.” And, as I mentioned, Twitter also fact-checked the President’s irresponsible statements about vote by mail.¹¹

Unfortunately, Facebook appears poised to take a different approach. In an interview on CNBC you even went so far as to call Twitter’s efforts to curtail violent, abusive rhetoric a misguided attempt to “be the arbiters of truth.”¹² You added that “Political speech is one of the most sensitive parts in a democracy, and people should be able to see what politicians say.”¹³ Further, Facebook tries to limit its use of fact-checkers to “really catch the worst stuff,” not to “parse words on something that is slightly true or false.”¹⁴

We struggle to understand what valuable, protected political speech one can ascribe to a statement that callously threatens to send the National Guard in to shoot individuals during protests over police brutality, as the country grieves the most recent illegal killings of unarmed black people –

⁷ Tony Romm & Allyson Chiu, “Twitter Flags Trump, White House For ‘Glorifying Violence’ After Tweeting Minneapolis Looting Will Lead to ‘Shooting,’” *The Washington Post* (May 29, 2020), <https://www.washingtonpost.com/nation/2020/05/29/trump-minneapolis-twitter-protest/>.

⁸ Donald J. Trump, “There is NO WAY,” Facebook post (May 26, 8:53 am), <https://www.facebook.com/DonaldTrump>.

⁹ Donald J. Trump, (@realDonaldTrump), Twitter (May 27, 2020, 7:11 am), <https://twitter.com/realDonaldTrump>.

¹⁰ *Executive Order on Preventing Online Censorship*, THE WHITE HOUSE, May 28, 2020, <https://www.whitehouse.gov/presidential-actions/executive-order-preventing-online-censorship/>.

¹¹ Elizabeth Dwoskin, “Twitter’s decision to label Trump’s tweets was two years in the making,” *The Washington Post* (May 29, 2020), <https://www.washingtonpost.com/technology/2020/05/29/inside-twitter-trump-label/>.

¹² Salvador Rodriguez, “Mark Zuckerberg Says Social Networks Should Not Be Fact-Checking Political Speech,” *CNBC* (May 28, 2020), <https://www.cbc.com/2020/05/28/zuckerberg-facebook-twitter-should-not-check-political-speech.html>.

¹³ *Id.*

¹⁴ *Id.*

George Floyd and Breonna Taylor – by law enforcement. It is hard for me to imagine what else would rise to the level of “the worst stuff,”¹⁵ if not that.

Unfortunately, there is another, more systemic problem with Facebook’s policy. By taking a cavalier attitude toward violent, harassing, racially-charged rhetoric – so long as it is being offered by politicians or as thinly veiled as “political speech” – Facebook is creating conditions that will allow foreign disinformation campaigns to flourish. We know that nation-states like Russia are exploiting racial tensions to divide Americans as the November elections approach.¹⁶

After the 2016 election, Facebook – and you personally – went to great lengths to apologize for the role Facebook played in spreading disinformation, promoting tribalism and contributing to polarization.¹⁷ If Facebook still cannot or will not get serious about this brand of insidious, violent content masquerading as political speech, we fear it will have disastrous consequences for our democracy.

Accordingly, pursuant to Rule X(3)(g) of Rule XI of the Rules of the House of Representatives, we respectfully request you provide a written response to the following questions, and whatever supplementary information you deem responsive, by June 22, 2020:

1. What is Facebook’s policy on statements, content and communications by world leaders, such as President Trump, that violate community guidelines against harassment, violence, and misinformation?
 - a. With respect to President Trump’s tweets over the past week, were there any that Facebook would have removed, flagged, or otherwise acted on had that same content been posted on Facebook?
 - b. Will Facebook commit to removing, flagging, or otherwise taking action to address such posts by world leaders going forward, similar to other users?
2. Does Facebook plan to make any modifications to its content policies as a result of Trump’s Executive Order on Preventing Online Censorship?¹⁸ Will the platform continue to remove or restrict access to content that violates Facebook’s policies, despite any proposed changes in the Administration’s attitude toward or interpretation of Sec. 230(c) of the Communications Decency Act?

¹⁵ *Id.*

¹⁶ Julian E. Barnes and Michael Goldman, “Russia Trying to Stoke U.S. Racial Tensions Before Election, Officials Say,” *The New York Times* (May 10, 2020), <https://www.nytimes.com/2020/03/10/us/politics/russian-interference-race.html>.

¹⁷ Emily Canal, “Mark Zuckerberg Is Deeply Sorry About the Role Facebook Played in the 2016 Election,” *Inc.Com* (Oct. 2, 2017), <https://www.inc.com/emily-canal/mark-zuckerberg-apologize-facebook-russia.html>.

¹⁸ *Executive Order on Preventing Online Censorship*, THE WHITE HOUSE, May 28, 2020, <https://www.whitehouse.gov/presidential-actions/executive-order-preventing-online-censorship/>.

3. In response to criticism from Facebook employees over your handling of President Trump's tweets, you reportedly told employees that you would "review our policies allowing discussion and threats of force" and consider "potential options for handling violating or partially-violating content aside from the binary leave-it-up or take-it-down decisions."¹⁹ What content policy changes are you considering, and what is your timeline for implementation of any such changes?
4. Has Facebook detected any ongoing disinformation activity based on or related to Trump's tweets over the past week, or the public debate surrounding those tweets?
5. The *Wall Street Journal* recently reported on a 2018 internal audit, commissioned by Facebook executives and carried out by an internal 'integrity team,' which found that "[Facebook algorithms exploit the human brain's attraction to divisiveness" leading users to "more and more divisive content in an effort to gain user attention and increase time on the platform."²⁰ What actions, if any, did Facebook take in response to this audit?
 - a. Were there any recommendations that the company did not adopt, and if so, what were they? What was the basis for rejecting such recommendations?
 - b. Does Facebook plan to adopt any such recommendations going forward?
 - c. Please provide a copy of any documentation or reports that capture the methodology, results, or findings of the audit.

On May 29, you were able to speak to the President of the United States on the phone. Yet, to the best of our knowledge, you did not use the opportunity to inform the President that his comments would be removed from Facebook or to express outrage on behalf of people who use the platform, particularly the people of color who are the target of the President's comments.²¹ A week ago, you had the opportunity to engage with top civil rights leaders, who sought to educate you on how violent rhetoric and inaccurate content left unchecked affects minority communities.²² You do not appear to have absorbed their message.

In short, in recent weeks, you have had the opportunity to receive informed, experienced advice of civil rights leaders and had the ear of the President, but you have failed to take responsibility to use your privilege to stand up for the people the President targets with his violent rhetoric.

¹⁹ "Facebook's Zuckerberg promises a review of content policies after backlash," *Reuters*, Jun. 5, 2020, <https://www.reuters.com/article/us-facebook-zuckerberg-racial-justice/facebooks-zuckerberg-promises-a-review-of-content-policies-after-backlash-idUSKBN23C352>.

²⁰ "Facebook Executives Shut Down Efforts to Make the Site Less Divisive," *Wall Street Journal*, May 26, 2020, <https://www.wsj.com/articles/facebook-knows-it-encourages-division-top-executives-nixed-solutions-11590507499>.

²¹ Donie O'Sullivan & Josh Hoffman, "Trump and Zuckerberg Spoke on the Phone Friday," *CNN* (May 31, 2020), <https://www.cnn.com/2020/06/02/civil-rights-leaders-stunned-after-call-with-zuckerberg.html>.

²² Lauren Feiner, "Civil Rights Leaders Say They're 'Disappointed and Stunned' After Call with Facebook's Zuckerberg and Sandberg," *CNBC* (June 2, 2020), <https://www.cnn.com/2020/06/02/civil-rights-leaders-stunned-after-call-with-zuckerberg.html>.

There is a difference between being a platform that facilitates public discourse and one that peddles incendiary, race-baiting innuendo guised as political speech for profit. Last week, your employees walked out to stand up against racism and in support of truth. You should decide which side you are on.

Thank you for your attention to this request.

Sincerely,



Bennie G. Thompson
Chairman



Sheila Jackson Lee
Member of Congress



James Langevin
Member of Congress



Cedric Richmond
Member of Congress



Donald Payne
Member of Congress



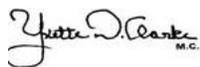
Kathleen Rice
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Emanuel Cleaver
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Yvette Clarke
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Bonnie Watson Coleman
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Val B. Demings

Val Demings
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