



June 29, 2020

BY EMAIL

Nick Clegg
Vice President for Global Affairs
& Communications
Facebook Inc.
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Dear Mr. Clegg:

We reviewed Facebook's [announcement](#) Friday with interest and write with several questions about the policies you have begun to articulate.

As I am sure you will agree, it is absolutely vital that the American public clearly understand what it is that Facebook has so far committed—or declined—to do in order to protect against abuse of its platform to suppress the vote or incite violence. The course of public statements and adjustments to your policies governing misinformation have generated considerable confusion about where matters stand and the extent to which Facebook has made meaningful changes.

We are also concerned about reports, such as those in today's *Washington Post*, that company executives have been involved in making political judgments about how policy changes might offend "right-leaning publishers" even though data showed that "conservative leaning outlets were pushing more content that violated [Facebook's] policies." We are troubled by the *Post's* confirmation that after President Trump's tweets about the George Floyd protests, Facebook "chose to haggle" with the White House, requesting edits and deletions, rather than taking a clear and transparent stand based on established policies.

It is against this background, in the interests of absolute clarity about the design and rigorous, impartial implementation of your policies to protect against abuse of the platform, that we ask for your response to these questions and concerns:

First, as you know, we raised repeated concerns about President Trump's use of your platform to spread false claims about mail voting, including that:

(1) "MILLIONS OF MAIL-IN BALLOTS WILL BE PRINTED BY FOREIGN COUNTRIES";

(2) “who knows where” millions of mail ballots “are going[] and to whom?”; and

(3) “there is NO WAY (ZERO!) that Mail-In Ballots will be anything less than substantially fraudulent” because they are being sent “to millions of people, anyone living in [California], no matter who they are or how they got there” and “professionals [will be] telling all of these people . . . how and for whom to vote.”

As we have set forth in prior letters, each of these assertions is false. Friday’s announcement stated that content that “suppresses voting” will be removed “no matter where it comes from” -- and further that there are “no exceptions” to this rule for politicians. Under the new policy, we assume that these statements, and others like them in the future, will be removed. We ask for confirmation that Facebook will take this action. If not, we ask for a clear statement of the reasons and an explanation of how, then, the new policy announced last week materially differs from the old policy on this issue.

Second, for several years, Facebook has assured the public that it will remove content that “misleads people on when or how they can vote.” We enthusiastically support this policy but have had deep concerns with its implementation. On that score, we note a significant issue raised by Facebook’s new commitment to devote extra attention to “respond[ing to] and remov[ing] false claims about polling conditions in the 72 hours leading into election day.” As we have emphasized before, we agree that the days leading up to the election offer opportunities for abuse by those spreading disinformation because of delays inherent in your face-checking process, and we implore you to revise your policies to address this problem. But you have expressed a commitment to addressing disinformation about voting in particular, and there is no reason why Facebook would not devote extra attention to this issue *now* rather than four months from now. In 2016, **nearly as many** voters voted by mail and through early vote as voted on Election Day. Those numbers will increase sharply this year. Any initiative to eliminate misinformation above voting on your platform that focuses on the 72 hours preceding Election Day is clearly insufficient.

Third, we are interested in the implementation of the new approach of linking to your Voting Information Center on posts from politicians that concern voting. If the links are to be useful, the associated text must make clear that the Center is the source of authoritative voting information; not the person or campaign making the post. And for that approach to be constructive, Facebook must be willing to commit the substantial resources necessary to ensure that the Voter Information Center is, in fact, authoritative, comprehensive, and at all times accurate.

Fourth, with respect to “hateful content,” the question is not whether “there is a public interest in allowing a wide[] range of free expression in people’s posts” even when that expression includes divisive and inflammatory content, as your announcement suggested. Instead, the question is whether your platform’s algorithm should continue to amplify that material to the

attention of tens of millions of people *because* it is divisive and inflammatory. The answer to that question is no, which should be clearer now than ever before.

We note the company's statement that it will now prohibit paid ads that "claim[] that people from a specific race, ethnicity, national origin, religious affiliation . . . or immigration status are a threat to the physical safety, health or survival of others." We would welcome an explanation of how this policy differs from your previous policy. Will ads that portray immigrants as "invaders" or perpetrators of an "invasion," as the Trump campaign has done on [thousands of occasions](#), be removed because they violate this policy? And if not, we would ask again for a statement of the reasons, and specifically, how, then, the old policy and the new one announced last week are materially different on this issue.

Fifth, we understand that Facebook now intends to label certain posts from politicians that violate your community standards as "newsworthy," rather than removing them entirely. We would welcome a definition of who, exactly, qualifies for this "newsworthy" label. In addition, this appears to be a half measure at best, and potentially a step backwards. If the "newsworthy" label is to serve any purpose at all, the post must first be screened entirely, like content on your platform that has been determined by fact-finders to be false. Otherwise, the "newsworthy" moniker perversely will attract *more* attention to a post that would be barred from your platform were it made by anyone else.

Finally, we believe that it is important to know whether Facebook will apply its policies impartially and transparently. If a post violates Facebook's policies, then it should remove the post. We see no basis for a backroom exception from the policy that allows the company to "haggle" or negotiate with the President to reach agreement with him on what he might post. If Facebook is making no exceptions for politicians engaged in false statements about voter suppression or incitement to violence, then it should make no exceptions among those politicians for Donald Trump. And it should not be giving special consideration to "right-leaning publishers" if such publishers are "pushing more content that [violates] Facebook policies." Please advise whether you will commit to this impartiality and transparency.

In closing, we have noted in Facebook's recent statements an acknowledgement of the central role your company can play in fostering our democratic processes -- and a commitment to improvement. On Friday, for example, Mark Zuckerberg emphasized that "Facebook will take extra precautions to help everyone stay safe, stay informed, and ultimately use their voice where it matters most -- voting." Following through on this commitment is essential. We have watched in recent months as Facebook's actions have not met its promises. For example, Facebook has promised that content found to be false will be downgraded, immediately; but one of the [most viewed](#) posts this past week was a falsehood labeled as such by your fact checkers. Facebook simply must address the continued mismatches between the assurances it makes and the steps it actually takes. To that end, we emphasize once again that the required precautions for the general election that you have committed to take will only become harder to develop and implement over the coming months, and the time for action is now.

I look forward to your reply.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jen O'Malley Dillon', with a long horizontal stroke extending to the right.

Jen O'Malley Dillon
Campaign Manager

Cc: Brian Rice