



September 28, 2020

BY EMAIL

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

Dear Mr. Zuckerberg:

Earlier this month, Facebook [committed](#) to finally acting on its “responsibility to protect our democracy” by “clearing up confusion about how this election will work” and by “fight[ing] misinformation” about how to participate. On the same day, Mr. Trump took to your platform to spread falsehoods about mail voting, and Facebook took no meaningful action. We were told then that Facebook was working to determine how best to apply its new, more aggressive approach.

Three weeks have now passed. Rather than seeing progress, we have seen regression. Facebook’s continued promise of future action is serving as nothing more than an excuse for inaction. Millions of people are voting. Meanwhile, your platform is the nation’s foremost propagator of disinformation about the voting process. This state of affairs cannot be reconciled with a single public statement your company has made about these issues.

Facebook [tells the public](#) that it [prohibits](#) content that misrepresents concerning “methods for voting,” “qualifications for voting,” and “whether a vote will be counted”; it also purports to bar calls for “coordinated interference” with voting. Facebook [says](#) that these prohibitions are important because “[voting is voice](#),” and because of its purported commitment to free expression, it has a responsibility to “clear[] up confusion about how this election will work” and to “tak[e] steps to reduce the chances” of distrust in our democracy and unrest. This is part of your commitment, made in early 2017, to do everything required to make sure that Facebook serves as a “force for good in democracy.”

Facebook’s actual conduct in recent days paints a very different picture. Last week, Donald J. Trump, Jr. [posted](#) a video claiming that those who oppose his father have a “plan to add millions of fraudulent ballots that can cancel your vote and overturn the election.” He then implores viewers not to let that happen: “We need every able bodied man and woman to join an army for

Trump’s election security.” This is what the video looks like, with an express call to “Enlist Now!”:



Dozens of responsible media voices and political campaigns throughout the country, including ours, brought this content to your immediate attention, as it violates both your policies and your [commitment](#) that no one will be permitted to use Facebook’s tools to “undermine democracy.” Your response was that the video yielded “extensive discussions,” which reached the conclusion that it was consistent with your policies. We were assured that the label affixed to the video, buried on the top right corner of the screen where many viewers will miss it, should allay any concerns. When we asked for a written explanation of how assertions that millions of votes will be fraudulent, that millions of others will be “cancelled,” and that the solution was to “enlist” in an “army for Trump’s election security,” could possibly be consistent with your policies that prohibit all of these claims, you provided none.

No company that considers itself a force for good in democracy, and that purports to take voter suppression seriously, would allow this dangerous claptrap to be spread to millions of people. Removing this video should have been the easiest of easy calls under your policies, yet it remains up today.

Meanwhile, Mr. Trump himself has [repeatedly](#) taken to your platform to encourage his followers who have voted by mail to show up at their polling place and demand to vote again unless it is demonstrated that their vote has been counted. These posts clearly violated your policies as well by wrongly suggesting that there is considerable doubt about whether mail votes will be counted. They also violate your prohibition of “misrepresentations about voting logistics, methods, or requirements.” In many jurisdictions, a voter who shows up to vote in person after already sending in a mail ballot is not permitted to vote. The pertinent question is not whether the ballot has been “counted,” as Trump’s post suggested -- in many states, that does not happen until Election Day -- but whether it has been [returned](#) by the voter.

If Facebook’s goal is to accomplish what it has publicly committed to do -- i.e., “clear[] up confusion about how this election will work” -- the solution should have been simple: [remove](#)

Mr. Trump's posts, which violate your policies. Instead, the post was permitted to remain up because, we were told, it did not encourage "illegal" behavior. That is flatly [wrong](#). In many states, the law does not permit a voter to cast a ballot in person after having returned a mail ballot (Arizona, Michigan, Pennsylvania, and Wisconsin prominent among them). Encouraging illegal behavior is also not the benchmark set by your policies, which prohibit this content.


Unsurprisingly, having received the clear message from Facebook that its platform could be used to create confusion about how to participate in the election, Mr. Trump has done so [again](#) and [again](#). Just this morning, he [claimed](#) that "Ballots being returned to States cannot be accurately counted"—in direct contravention of your bar on misrepresentations about whether votes will be counted—and you once again took no action. Facebook's clear policies, which prohibit Mr. Trump and everyone else from posting such content, should stand in his way. But by now Mr. Trump clearly understands that Facebook will not hold him to their clearly stated policies.

We have watched with alarm in recent days as Facebook has [attempted](#) to portray itself as a passive actor, serving as a mirror of public sentiment--all while your algorithm actually serves as a force that shapes it. Imagine if, decades ago, the *National Enquirer* had the resources to target every person who glanced at its cover in the supermarket checkout line with endless mailings. Imagine further that it had the ability to figure out which of those mailers were read when they had been received, so as to influence the content of the next mailer and the next. Every trip to the mailbox would yield more evidence of a fantastical or hyper-partisan story. That is what Facebook does, with the daily mail replaced by instantaneous smartphone updates. It is why a hyperpartisan propaganda organ like the *Daily Wire* is Facebook's top web publisher. Mr. Trump and his allies are hijacking this model to sow distrust in our democracy. You have committed not to allow that to happen. Yet you do allow it to happen—time and again.

Finally, it bears emphasis that, according to recent [reporting](#), Facebook's decision-making continues to be influenced by the preference and identity of those in office. That is not empowerment of individual voices, which you say is the founding principle of Facebook; instead, it is catering to those who already have power. And it has nothing to do with free expression. As you say, "voting is voice." Facebook has committed to not allow that voice to be drowned out by a storm of disinformation, but has failed at every opportunity to follow through on that commitment.

We will be calling out those failures as they occur over the coming 36 days.

Very truly yours,



Jen O'Malley Dillen
Campaign Manager