September 19, 2024

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Dear Ms. Yaccarino, Mr. Zuckerberg, Mr. Citron, Mr. Mohan, Mr. Clancy, Mr. Chew, Mr. Spiegel, Mr. Durov, Mr. Cook, Mr. Huffman, and Mr. Acton:

We write to you concerning the potential spread of election administration and certification disinformation before, during and after the 2024 United States elections. We are deeply concerned that the dissemination of election disinformation via your product(s) and/or platform(s) – if left unmitigated – will suppress voter participation, sow doubt in U.S. election processes and incite political violence.

For the purposes of this letter, "election disinformation" refers to false content about 2024 U.S. elections administration or certification – including falsehoods that pertain to the time, place and manner of the elections, voter eligibility requirements, and the processes of ballot counting and result certification – that is intentionally created to mislead voters and/or to suppress voter turnout.[1]

Considering the increase in election disinformation on digital platforms during recent elections, there is ample cause for concern. During the 2020 and 2022 U.S. federal elections, foreign adversaries supported the creation and targeting of election disinformation to undermine our democracy.[2] During the 2020 elections, research showed that election disinformation in Spanish stayed up for longer on social media, as compared to English[3]; and recent research from the University of Washington points to how Spanish-English language disparities in the availability and persistence of election disinformation continue.[4] In 2022, the National Association of Latino Elected and Appointed Officials (NALEO) found that 62% of Spanish-speaking Latino households had "seen or heard a lot" about the "Big Lie" or false claims about U.S. elections administration and certification being fraudulent – 22% more than English-speaking Latino households.[5] Meanwhile, a former U.S. President has spread and continues to spread dangerous election disinformation, despite no evidence supporting these claims.[6]

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[1] Election Infrastructure Government Coordinating Council & Subsector Coordinating Council's Joint Mis/Disinformation Working Group. (n.d.). *MDM incident response guide*. Cybersecurity & Infrastructure Security Agency (CISA). https://www.cisa.gov/mdm-resource-library

[2] Gazis, O. (2023, October 20). *Russia seeks to undermine election integrity worldwide, U.S. assessment says*. CBS News. https://www.cbsnews.com/news/russia-election-integrity-worldwide-u-s-assessment/; Tulp, S. (2023, November 7). *Iranian hacking fabricated to push election disinfo*. Associated Press. https://apnews.com/article/fact-check-2020-election-fake-hacking-video-034512361997; Edlin, R., & Nordin, L. (2024, August 20). *Foreign adversaries are targeting the 2024 election*. The Brennan Center for Justice. https://www.brennancenter.org/our-work/analysis-opinion/foreign-adversaries-are-targeting-2024-election

[3] Valencia, S. (2021, October 18). *Misinformation online is bad in English. But it's far worse in Spanish.* The Washington Post. https://www.washingtonpost.com/outlook/2021/10/28/misinformation-spanish-facebook-social-media/

[4] Center for Information Policy, University of Washington. (2024, June 24). *English vs. Spanish: Social media platform searches*. https://www.cip.uw.edu/2024/06/24/english-spanish-social-media-platform-searches/

[5] González, E. (2022, February 23). *Why Spanish-language mis- and disinformation is a huge issue in 2022*. Brookings. https://www.brookings.edu/articles/why-spanish-language-mis-and-disinformation-is-a-huge-issue-in-2022/

[6] Tulp, S. (2023, September 6). *Trump's 2020 election lies debunked*. Associated Press. https://apnews.com/article/trump-2020-election-lies-debunked-4fc26546b07962fdbf9d66e739fbb50d; Tulp, S. (2023, September 12). *Capitol riot and Trump's election lies: An explainer*. Associated Press. https://apnews.com/article/capitol-riot-trump-election-lies-explainer-816a43ed964e6d35f03b0930e6e56c82; Smith, A. (2024, September 11). *Fact check: Trump and Harris in the 2024 presidential debate*. NPR. https://www.npr.org/2024/09/11/g-s1-21932/fact-check-trump-harris-presidential-debate-2024

Recent advances in artificial intelligence (AI) technologies have only strengthened foreign and domestic malign actors' capability to create, micro-target and spread election disinformation quickly and on a large scale. Just last week, the U.S. Department of Justice seized 32 Russian-operated internet domains that covertly promoted AI-generated false narratives on social media to target specific American demographics and regions in an effort to subvert the 2024 elections.[7] Notably, as a 2024 report from the Microsoft Threat Analysis Center documents, although election influence operations from China, Iran and Russia have started ramping up, their tactics are not limited to AI: "we've seen nearly all actors seek to incorporate AI content in their operations, but more recently many actors have pivoted back to techniques that have proven effective in the past—simple digital manipulations, mischaracterization of content, and use of trusted labels or logos atop false information."[8]

We ask that you provide a response to the following questions by October 3, 2024. Unless specified, all questions below pertain to the U.S. 2024 elections and use the definition of 'election disinformation' discussed earlier in this letter.

Questions:

1. **Enforcement of policies pertaining to election disinformation:**
    a. What are your company's current policies pertaining to election disinformation, and what are your enforcement processes for these policies?
    b. In what situations is election-related content – whether flagged through internal processes or because of user input – referred for human review? What is the average timeline for completing such a review?
    c. What are your policies on warning and/or banning a user account after a certain number of violative content-sends or posts?
    d. What technical interventions do you have in place to limit the virality of election disinformation?
    e. Do you temporarily limit the virality of election-related content that has been flagged and is waiting for human review?
    f. What is the mean and median time from the reporting of violating content and/or users to when violating content/users are removed, de-amplified and/or downranked? Please break down these metrics by language, for the last year.

2. **Resourcing for election safety teams:**
    a. Which teams at your company focus on enforcing your policies regarding U.S. election disinformation, and for which product(s)/platform(s)? Describe each team's functions, goals and responsibilities, and for how long these personnel will focus specifically on the 2024 U.S. elections.
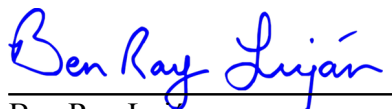   b. How many full-time and part-time employees and contractors work on the team(s)?

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[7] U.S. Department of Justice. (2024, September 6). *Justice Department disrupts covert Russian government-sponsored foreign malign influence*. https://www.justice.gov/opa/pr/justice-department-disrupts-covert-russian-government-sponsored-foreign-malign-influence
[8] Microsoft Corporation. (2024, September 11). *Iran steps into US election 2024 with cyber-enabled influence operations*. https://www.microsoft.com/en-ie/security/security-insider/intelligence-reports/iran-steps-into-us-election-2024-with-cyber-enabled-influence-operations

    c. Please provide a breakdown of the number of personnel focused on 2024 U.S. election integrity per content-language and explain any differences in resourcing across languages.

    d. Has your U.S. election safety team(s) size and composition changed over the last five years, and if so, how? Please share decreases and increases in headcount per role or team, per year, and explain any changes.

3. **De-amplification commitment:**
    a. For the 2024 U.S. elections, after a full adjudication per your platform policies, how quickly can your company commit to taking action on content deemed to be election disinformation and/or user accounts deemed to be spreading election disinformation?
    b. How will you apply these policies equally across all user accounts?

4. **Equitable disinformation mitigation across languages:** For the 2024 U.S. elections, will your company commit to providing equally effective election disinformation mitigation across the 10 most commonly spoken languages on your product(s)/platform(s) in the U.S.?

5. **Increase election safety resourcing before, during and after the 2024 elections:**
    a. Will your company commit to increasing personnel and technical resources to enforce your election integrity policies from now until November 5th, 2024, and during the election certification period between November 5th and January 20th?
    b. If yes, please outline the additional steps that your company will commit to taking, the start and end-dates of these additional steps, and how you will measure and report the success of these steps.

6. **Amplifying official election information sources:**
    a. What is your company's plan to amplify (for example, promote, link to and/or encourage the sharing of) official election administration and certification information pertaining to the 2024 U.S. elections?
    b. Will your company commit to measuring the reach and engagement that results from these amplification efforts?
    c. Is translation of official election information into the 10 most commonly spoken languages on your product(s) and/or platform(s) a step that your company has the capacity to and interest in offering as a public service during the 2024 U.S. elections?

7. **Account-level mitigation strategies for one-to-one and group chat service providers, including encrypted chat providers:**
    a. Does your company offer a process for your customers to flag unsolicited election disinformation that was sent to them by a specific user account? Explain your policies towards the spread of unwanted election disinformation on your chat product(s) and/or platform(s), and how your teams enforce these policies without infringing upon user privacy and/or encrypted communication services.
    b. What are your policies on warning and/or banning a user account after that account sends a certain number of messages that violate your policies?

Thank you for your prompt attention to these questions and calls for commitment. We look forward to hearing from you.
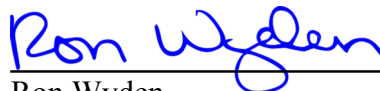
Sincerely,

Ben Ray Luján
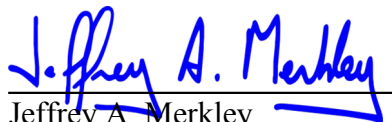United States Senator

Jeanne Shaheen
United States Senator

Elizabeth Warren
United States Senator

Ron Wyden
United States Senator

Jeffrey A. Merkley
United States Senator