

United States Senate

WASHINGTON, DC 20510

December 13, 2018

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

Dear Mr. Zuckerberg:

We write to express disappointment that your recent efforts at providing increased transparency concerning political ads has fallen short.

As reported in *Wired*, one of the biggest spenders on political ads during the 2018 midterms was an obscure company called Concealed Online.¹ As you may know, Concealed Online is a for-profit company that offers online courses and certifications for concealed-carry permits in Virginia.² During the 2018 campaign, Concealed Carry spent nearly \$2.5 million on political ads.³

Concealed Carry's website states that the company "provides quality online safety training courses for the purpose of applying for your Concealed Carry permit. Our mission is to help citizens gain the education to safely handle firearms and successfully defend themselves and their families."⁴ Yet, the company ran overtly political ads furthering an anti-gun safety agenda. One such ad stated, "The election is just DAYS AWAY and Gun Control Lawmakers could do a FULL STOP [] on your 2nd Amendment rights! FAST-TRACK your Concealed Carry Certification ONLINE! It's FREE, EASY, and STILL LEGAL! IGNORE AT YOUR OWN RISK."⁵ Concealed Carry's website provides an address in Walnut, California but offers no information about ownership.⁶ *Wired* attempted to track down the true ownership of Concealed Carry but was told through the company's attorney that the owner would only agree to an anonymous interview.⁷ As such, the public is unable to ascertain the ownership of a company that you allow to place political advertisements on your platform. This is the case for a number of entities that advertise on Facebook.⁸

More than a year ago after news reports revealed that Russian agents used Facebook to spread inflammatory posts to over 126 million Facebook users.⁹ Facebook promised Congress that it

¹ <https://www.wired.com/story/facebook-ads-political-concealed-online/>; <https://www.facebook.com/ads/archive/report>

² *Id.*

³ *Id.*; <https://www.facebook.com/ads/archive/report>

⁴ <https://www.concealedonline.com/>

⁵ <https://www.wired.com/story/facebook-ads-political-concealed-online/>

⁶ *Id.*

⁷ <https://www.wired.com/story/facebook-ads-political-concealed-online/>

⁸ <https://www.propublica.org/article/how-big-oil-dodges-facebooks-new-ad-transparency-rules>

⁹ <https://www.nytimes.com/2017/10/30/technology/facebook-google-russia.html>

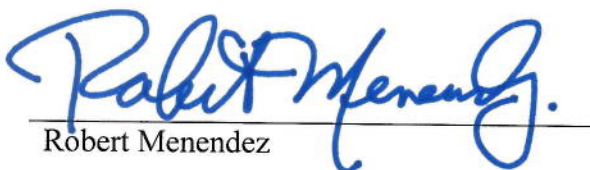
would provide additional disclosures on political ads.¹⁰ Yet, you continue to take in ad revenue from companies cloaked in secrecy. Although no legal requirement exists mandating that political advertisers on social media platforms file disclosures with the Federal Election Commission, you could take it upon yourself to mirror the laws that exist for radio and television ads.

During your testimony before the house Energy and Commerce Committee you stated, “I consider us to be a technology company because the primary thing that we do is have engineers who write code and build product and services for other people”.¹¹ However, we know that actors foreign and domestic, notably the Russian government, exploited Facebook to subvert the 2016 presidential election and continue to exploit Facebook to sow disinformation and promote propaganda.¹² It is clear that the Russians viewed Facebook as a media company, and a tool through which they could employ developed information warfare tactics. Yet, to admit to the American public that you are a media company would require you to take on added responsibility of transparency, a responsibility you refuse to accept.

During testimony before the Senate you said, “[a]ny business has the opportunity to do things that might increase revenue in the short term, but at the expense of trust or building engagement over time.”¹³ It would behoove you to consider your own statement as you work toward rebuilding trust with the American people. You have an opportunity to lead, to show the American public that you are committed to full transparency in the political spending arena.

We believe you also have a moral responsibility to ensure that your users are able to discern who and what is behind political ads shown on your platform. Such transparency will help ensure open and fair elections, free of dark money or foreign interference. Moreover, we believe it will serve to help you regain some of the lost trust in your company after it allowed Cambridge Analytica to gain access to the private data of more than 50 million users.¹⁴ Therefore we ask that you take additional steps to provide the public with information as to who is truly behind each and every political advertisement on your platform. Thank you in advance for your consideration.

Sincerely,


Robert Menendez


Richard Blumenthal

¹⁰ <http://nymag.com/intelligencer/2017/09/facebook-promises-transparency-on-political-ads.html>

¹¹ <https://www.cnn.com/2018/04/11/mark-zuckerberg-facebook-is-a-technology-company-not-media-company.html>

¹² <https://www.nytimes.com/2018/02/17/technology/indictment-russian-tech-facebook.html>

¹³ https://www.washingtonpost.com/news/the-switch/wp/2018/04/10/transcript-of-mark-zuckerbergs-senate-hearing/?utm_term=.7be36790d912

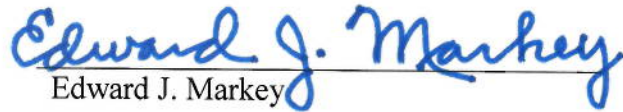
¹⁴ <https://www.nytimes.com/2018/03/19/technology/facebook-cambridge-analytica-explained.html>



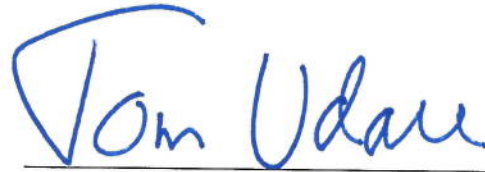
Sheldon Whitehouse



Kirsten Gillibrand



Edward J. Markey



Tom Udall



Sherrod Brown



Mazie Hirono



Bernard Sanders