Dear Mr. Cathcart and Mr. Zuckerberg:

We write to express our serious concerns regarding the rise of Spanish-language misinformation and disinformation (“mis/disinformation”) targeted at Latino communities via group messaging apps in the United States. Mis/disinformation continues to disproportionately target Spanish-speaking communities across the United States, including campaigns during the 2020 presidential election\(^1\) and the COVID-19 vaccination effort.\(^2,3\) Mis/disinformation can spread rapidly in messaging apps with large group sizes such as WhatsApp, which supports up to 256 users per group. By increasing access to reliable fact-checking across languages, hiring and adequately investing in staff who have the necessary cultural context, and implementing other tools to slow the spread of viral mis/disinformation, WhatsApp can address this problem without compromising the integrity of private encrypted communication.

More than half of the Latino population in the United States uses WhatsApp, compared to less than one-fifth for all other non-Spanish-speaking populations.\(^4\) This is largely due to your platform’s high use in Latin America and the global Spanish-speaking diaspora communication with relatives in home countries. By 2023, almost 71 percent of the Latino population in the United States will be WhatsApp users.\(^5\) According to a recent Nielsen study, young Latinos, in

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\(^2\) Id.


\(^5\) Id.
particular, are twice as likely to use platforms like WhatsApp compared to the general population, and therefore are exposed to an even higher rate of mis/disinformation compared to the general population.  

Spanish-language mis/disinformation played a significant and concerning role in the 2020 presidential election and COVID-19 vaccination effort. Politico, for example, found that ahead of the 2020 presidential election, Spanish-speaking residents of South Florida faced a barrage of mis/disinformation through their WhatsApp chats in an attempt to influence their electoral choices.  

In regards to the COVID-19 pandemic, a study in First Draft, a project dedicated to fighting mis/disinformation online that includes organizations like Facebook and Twitter, found that WhatsApp is a popular platform for those who wish to foster and spread mis/disinformation — and such mis/disinformation leads many Latino users into extreme, conspiratorial, anti-vaccine online spaces.  

A study conducted by Change Research on behalf of the Latino Anti-Disinformation Lab found that 66% of respondents whose primary language spoken at home is Spanish received wrong or harmful information about the COVID-19 vaccine through messaging apps including WhatsApp. This is especially concerning because Latinos have a higher chance of being infected by, hospitalized from, and dying of COVID-19 than non-Latinos.  

We recognize that WhatsApp is an encrypted messaging application, unique from other platforms under Meta Platforms, Inc., formerly known as Facebook, Inc. User privacy and end-to-end encryption are critical and support fundamental rights to free speech. We urge WhatsApp to continue to improve upon prior efforts to combat mis/disinformation in private messaging. In 2018, several high-profile incidents of violence occurred in India due to mis/disinformation in non-English languages on WhatsApp. The platform took initial steps to mitigate the spread of mis/disinformation following a warning from the Indian government.  

WhatsApp announced that it would be instituting “forwarding limits,” which allows users to “forward a message with up to five chats at one time.” In 2020, WhatsApp also introduced steps to help users quickly fact-check information sent through viral messages, announced a one million dollar fact-check initiative, and launched a feature for reporting how misinformation is spread. 

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12 Id.
checking grant, and launched a fact-checking hub to combat misinformation regarding the COVID-19 pandemic.\textsuperscript{15}

We commend your prior efforts to limit the spread of mis/disinformation on your platform, including partnerships with Telemundo and Univision.\textsuperscript{16,17} However, critical gaps still remain in addressing this problem. WhatsApp reportedly outsources its Spanish-language moderation for user-provided reports to Accenture, a third-party company that often employs moderators in Austin, Texas; Dublin, Ireland; and Singapore.\textsuperscript{18,19} Spanish-language content moderators allege the company failed to provide premium pay reserved for other bilingual moderators, and concerns around their working conditions were not taken seriously by their employers.\textsuperscript{20} These issues reinforce our concerns that your efforts to combat mis/disinformation for your Spanish-speaking users are not an internal priority at WhatsApp or Meta.

Meta, WhatsApp’s parent company, stated that they are taking steps to curb mis/disinformation. Yet, the company has repeatedly failed to produce data and evidence on the effectiveness of these actions. This letter follows more than five previous letters\textsuperscript{21} sent by Member of Congress to

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Meta requesting such information, including information related to Meta’s Spanish-language content reviewers and moderators. Unfortunately, Meta has failed to adequately and comprehensively address these important questions.

As Members of Congress, we have a strong interest in combatting mis/disinformation that is harmful to Latino communities. Many members of Latino communities across the country rely on your platform in their everyday lives. They should not have to endure a constant onslaught of content that promotes mis/disinformation simply because of their choice to use your platform. Such content sows distrust and undermines public health efforts, elections, and democratic institutions.

WhatsApp can reduce the scope of this problem on its platform without compromising the integrity of encrypted communication by (1) making fact-checked information across languages easy to access from within WhatsApp, (2) improving Spanish-language staffing practices, and (3) implementing other methods designed to slow the spread of viral mis/disinformation through group forwarding.

We urge you to engage with our offices on this issue, and request that you respond with detailed information in writing to address the following questions by June 13, 2022:

1. What staffing, analytical, and data resources does WhatsApp allocate to studying the spread of Spanish-language mis/disinformation on its platform?

2. What metrics does WhatsApp utilize to track the effectiveness of tools designed to limit the number of times a message can be forwarded? Does WhatsApp track these metrics across different languages?

3. How has WhatsApp worked to increase the number of Spanish-language fact-checkers on its platform? What goals and metrics does WhatsApp use to measure success in these programs?

4. Does WhatsApp release regular updates that include the number of user reports WhatsApp receives for content that violates its terms of service?

5. Do human moderators review user reports in the original language messages are sent or are user reports first subject to automated translation prior to review?

6. How are user reports reviewed across languages?
   a. What training does WhatsApp provide to content reviewers to help identify mis/disinformation in user-reported messages?
   b. How does WhatsApp ensure reviewers have the necessary cultural context and language skills to effectively review messages that are reported by users?
7. How are WhatsApp’s policies for reviewing reported messages in the United States different from policies applied in other Spanish-speaking countries, such as Colombia, Mexico, Argentina, and Spain?

Thank you for your attention to this matter. We look forward to your responses and a continued dialogue that works towards eliminating harmful mis/disinformation targeted at Latino communities across the country and around the world.

Sincerely,

Robert Menendez
United States Senator

Ben Ray Luján
United States Senator

Tony Cárdenes
Member of Congress

Cory A. Booker
United States Senator

Mazie K. Hirono
United States Senator

Catherine Cortez Masto
United States Senator

Tim Kaine
United States Senator

Jack Reed
United States Senator

Richard J. Durbin
United States Senator
Amy Klobuchar
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Sheila Cherfilus-McCormick
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Member of Congress

Jesús G. "Chuy" García
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Lauren Underwood
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Darren Soto
Member of Congress