

United States Senate

WASHINGTON, DC 20510

April 28, 2020

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

Dear Mr. Zuckerberg:

The COVID-19 pandemic has fundamentally changed the voting landscape in the United States. I write to express concern about the pandemic's impact on the 2020 U.S. elections, and to ask that Facebook build upon its work in this space and take further steps to help Americans register to vote and cast their ballots this year.

This pandemic poses stark challenges to our elections process. Already, sixteen states and one territory have either delayed their presidential primaries or changed to voting by mail with extended deadlines.¹ The nation watched the travesty that occurred in Wisconsin last month, when mail-in voting for the primary was restricted at the last minute, and in-person voting went ahead without sufficient protective measures and resources. Many polling places were closed, and lines at the ones that were open often went on for blocks and featured individuals using bandanas as a form of make-shift personal protective equipment.² These logistical problems disproportionately affected the state's African-American voters, who were forced to choose between exercising their hard-fought right to vote and protecting their health and safety. In Milwaukee, a city of more than half a million people, located in a county with close to 70 percent of the state's African-American population,³ only five of the city's 180 polling places were open because there were not enough poll workers available owing to the pandemic.⁴ What happened in Wisconsin was appalling—and should never be repeated.

No one should have to choose between protecting their health and exercising their sacred right to vote. Americans will need access to clear, straightforward, and reliable information about how to register to vote and how to cast their votes. Congress has already allocated \$400 million to help states implement election safety and accessibility measures. As several of my Senate

¹ Nick Corasaniti & Stephanie Saul, *16 States Have Postponed Their Primaries Because of Coronavirus. Here's a List*, N.Y. TIMES (Apr. 13, 2020), <https://www.nytimes.com/article/2020-campaign-primary-calendar-coronavirus.html>.

² Astead W. Herndon & Alexander Burns, *Voting in Wisconsin During a Pandemic: Lines, Masks and Plenty of Fear*, N.Y. TIMES (Apr. 7, 2020), <https://www.nytimes.com/2020/04/07/us/politics/wisconsin-election-coronavirus.html>.

³ *African Americans in Wisconsin: Overview*, WIS. DEP'T OF HEALTH SERVS., <https://www.dhs.wisconsin.gov/minority-health/population/afriamer-pop.htm> (last modified Sept. 10, 2018).

⁴ Christina A. Cassidy & Gretchen Ehlke, *Black Voters Weighed History, Health in Wisconsin Election*, ASSOCIATED PRESS (Apr. 8, 2020), <https://apnews.com/be402510fea98fd7c37067ca05fd8e1a>.

colleagues and I have made clear, we will need far more election assistance—\$3.6 billion—to ensure states can administer their elections in a safe and orderly way. As state election officials make necessary adjustments in response to the pandemic, it is imperative that voters are educated about those changes, too. If a state has newly implemented online or same-day registration, or if it has expanded voting by mail or early in-person voting, eligible voters need to be informed about those newly available options. Accurate information about changes like these will need to be distributed quickly and broadly, and disinformation campaigns will need to be stopped.

Facebook has the capacity to provide critical voting information and resources to many millions of Americans. Approximately seven out of every ten American adults use Facebook, and some three-quarters of that group use Facebook at least once a day, according to recent surveys.⁵ During this pandemic, Americans have been spending even more time on digital platforms, including Facebook. Indeed, Facebook reported last month that it is “experiencing new records in usage almost every day.”⁶ Facebook is therefore critically positioned to help inform Americans about voting and registering to vote this year—especially as state election officials adopt new policies in response to the pandemic, and as voters determine how best to cast their ballots safely.

Based on the most recent report on Facebook’s ongoing civil rights audit, I understand that Facebook has taken a number of steps to prepare for the 2020 elections and to address voter suppression and intimidation in particular.⁷ The report indicated that Facebook’s policy now prohibits misrepresentations about how to vote and that the company is “working on expanding its voting-related policies to prohibit other forms of voter interference.”⁸ In addition, “Facebook has a full-time dedicated team focused exclusively on the U.S. 2020 elections” and is “continuing to invest in rapid-response capabilities.”⁹ The report also noted that “Facebook plans to run voter registration reminders for U.S. primary and general elections, and voting day reminders for primary and general elections in 2020.”¹⁰

I appreciate Facebook’s taking of these steps, but those measures alone will not be enough this year. As the COVID-19 pandemic threatens to undermine the foundations of our democratic process, Facebook is capable of doing much more to help Americans exercise their right to vote. No one should be disenfranchised by this pandemic. All of us need to do our part to protect our democracy this year, and the work must begin now.

In light of these concerns, I respectfully request that you respond to the following questions:

1. What steps is Facebook taking to ensure that its American users are informed about how to register to vote in the 2020 elections? Please describe any relevant measures, but be

⁵ John Gramlich, *10 Facts About Americans and Facebook*, PEW RESEARCH CTR. (May 16, 2019), <https://www.pewresearch.org/fact-tank/2019/05/16/facts-about-americans-and-facebook>.

⁶ Alex Schultz & Jay Parikh, *Keeping Our Services Stable and Reliable During the COVID-19 Outbreak*, FACEBOOK (Mar. 24, 2020), <https://about.fb.com/news/2020/03/keeping-our-apps-stable-during-covid-19>.

⁷ Facebook, *Facebook’s Civil Rights Audit – Progress Report* 18-25 (June 30, 2019), https://about.fb.com/wp-content/uploads/2019/06/civilrightaudit_final.pdf.

⁸ *Id.* at 19-20.

⁹ *Id.* at 22.

¹⁰ *Id.* at 24.

sure to include, in particular, (a) explaining registration procedures and options, (b) identifying deadlines and other requirements, (c) providing access to registration forms, and (d) reminding users about relevant deadlines.

2. What new steps is Facebook prepared to take to educate its American users about registering to vote given the new barriers created by the COVID-19 pandemic?
3. What steps is Facebook taking to ensure that its American users are informed about the different methods by which they can vote in the 2020 elections? Please describe any relevant measures, but be sure to include, in particular, (a) voting by mail, (b) early in-person voting, (c) voting on Election Day, (d) locating polling places, (e) reminding users about relevant voting days, and (f) adhering to public health guidelines.
4. What new steps is Facebook prepared to take to educate its American users about their voting options given the new barriers created by the COVID-19 pandemic?
5. Given the potential for confusion relating to the COVID-19 pandemic and any changes made to voting policies and procedures in response, what new steps is Facebook prepared to take to combat disinformation on its platform about (a) voter registration and (b) voting logistics, methods, and requirements?
6. Given that time is of the essence, what is the expected timeline to implement each of the above-described changes?

I appreciate your prompt attention to this urgent matter and kindly request a response by May 20, 2020.

Sincerely,



Cory A. Booker
United States Senator