

Congress of the United States

Washington, DC 20510

May 16, 2022

Will Cathcart
Head
WhatsApp
1601 Willow Road
Menlo Park, California 94025

Mark Zuckerberg
Chairman and Chief Executive Officer
Meta
1 Hacker Way
Menlo Park, California 94025

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 election¹ 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

¹ Ana Ceballos & Bianca Pedro Ocasio, ‘It is getting really bad’: Misinformation spreads among Florida’s Spanish-speaking voters, TAMPA BAY TIMES (Oct. 30, 2020)

<https://www.tampabay.com/news/florida-politics/elections/2020/10/30/it-is-getting-really-bad-misinformation-spreads-among-floridas-spanish-speaking-voters/>.

² *Id.*

³ Voto Latino, *LADL: Nationwide Poll on COVID Vaccine* (Apr. 21, 2021) <https://votolatino.org/media/press-releases/polloncovid/>.

⁴ Lucy Koch, WhatsApp Beats Out Instagram and Twitter Among US Hispanic Users, INSIDER INTELLIGENCE (May 22, 2019) <https://www.emarketer.com/content/whatsapp-beats-out-instagram-and-twitter-among-us-hispanic-users>.

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.⁶

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.⁷ 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.⁸ 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.⁹ This is especially concerning because Latinos have a higher chance of being infected by, hospitalized from, and dying of COVID-19 than non-Latinos.¹⁰

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.¹¹ 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.^{12,13} WhatsApp announced that it would be instituting “forwarding limits,” which allows users to “forward a message with up to five chats at one time.¹⁴” In 2020, WhatsApp also introduced steps to help users quickly fact-check information sent through viral messages, announced a one million dollar fact-

⁶ Nielsen Diverse Intelligence Series, *Inclusion, information and intersection: The Truth About Connecting with U.S. Latinos* (Sept. 2021) <https://www.nielsen.com/wp-content/uploads/sites/3/2021/09/nielsen-2021-hispanic-diverse-insights-report-210682-D9.pdf>.

⁷ Sabrina Rodriguez & Marc Caputo, *‘This is f---ing crazy’: Florida Latinos swamped by wild conspiracy theories*, POLITICO (Sept. 14, 2020) <https://www.politico.com/news/2020/09/14/florida-latinos-disinformation-413923>.

⁸ Jaime Longoria, Daniel Acosta, Shaydanay Urbani and Rory Smith, *A Limiting Lens: How Vaccine Misinformation has Influenced Latinx and Hispanic Conversations Online*, FIRST DRAFT (Dec. 8, 2021) https://firstdraftnews.org/wp-content/uploads/2021/12/COVID-19_VACCINE_MISINFORMATION_HISPANIC_COMMUNITIES.pdf?x58095.

⁹ Voto Latino, *LADL: Nationwide Poll on COVID Vaccine* (Apr. 21, 2021) <https://votolatino.org/media/press-releases/polloncovid/>.

¹⁰ Will Weissert, *From vote to virus, misinformation campaign targets Latinos*, AP NEWS (Mar. 7, 2021) <https://apnews.com/article/joe-biden-donald-trump-race-and-ethnicity-media-misinformation-9696392bf389ba8ca3441d2314abcefa>.

¹¹ Pranav Dixit & Ryan Mac, *How WhatsApp Destroyed A Village*, BUZZFEED NEWS (Sept. 9, 2018) <https://www.buzzfeednews.com/article/pranavdixit/whatsapp-destroyed-village-lynchings-rainpada-india; Pranav Dixit>.

¹² *Id.*

¹³ WhatsApp Fueled A Global Misinformation Crisis. Now, It’s Stuck In One, BUZZFEED NEWS (Jan. 21, 2021) <https://www.buzzfeednews.com/article/pranavdixit/whatsapp-misinfo-privacy-policy>.

checking grant, and launched a fact-checking hub to combat misinformation regarding the COVID-19 pandemic.¹⁵

We commend your prior efforts to limit the spread of mis/disinformation on your platform, including partnerships with Telemundo and Univision.^{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.^{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.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 letters²¹ sent by Member of Congress to

¹⁴ *WhatsApp, FAQ About forwarding limits*, <https://faq.whatsapp.com/general/chats/about-forwarding-limits/?lang=en>.

¹⁵ Jennifer Still, *How to use WhatsApp's fact-checking feature to research the validity of viral, forwarded messages*, INSIDER (Oct. 2, 2020) <https://www.businessinsider.com/how-to-use-whatsapp-fact-check>.

¹⁶ Univision, *Univision News Launches Fact-checking Services on WhatsApp*, (Mar. 29, 2022) <https://www.univision.com/univision-news/univision-news-eldetector-answer-your-questions-via-whatsapp-send-what-you-want-verified>.

¹⁷ Ronny Rojas, *Noticias Telemundo lanza servicio de verificación de datos en WhatsApp*, NOTICIAS TELEMUNDO (Mar. 29, 2022) <https://www.telemundo.com/noticias/noticias-telemundo/hispanos-en-ee-uu/noticias-telemundo-lanza-servicio-de-verificacion-de-datos-en-whatsapp-rcna21988>.

¹⁸ Billy Perrigo, *'I Sold My Soul.' WhatsApp Content Moderators Review the Worst Material on the Internet. Now They're Alleging Pay Discrimination*, TIME (Jul 15, 2021) <https://time.com/6080450/facebook-whatsapp-content-moderators/>.

¹⁹ Peter Elkind, Jack Gillum and Craig Silverman, *How Facebook Undermines Privacy Protections for Its 2 Billion WhatsApp Users*, PROPUBLICA (Sept. 7, 2021) <https://www.propublica.org/article/how-facebook-undermines-privacy-protections-for-its-2-billion-whatsapp-users>.

²⁰ Zoe Schiffer, *WhatsApp's Spanish language content moderators push for equal pay in internal letter*, THE VERGE (Jun. 29, 2021) <https://www.theverge.com/2021/6/29/22556436/whatsapp-spanish-language-content-moderators-contractor-equal-pay>.

²¹ Senate Office of Bob Menendez, *Menendez Joins Colleagues in Urging Tech CEOs To Combat Spanish-Language Disinformation* (Jul. 30, 2021) <https://www.menendez.senate.gov/newsroom/press/menendez-joins-colleagues-in-urging-tech-ceos-to-combat-spanish-language-disinformation>; Senate Office of Bob Menendez, *Menendez, Warner, Hirono Slam Facebook for Spread of Vaccine Misinformation* (Jun. 22, 2021) <https://www.menendez.senate.gov/newsroom/press/menendez-warner-hirono-slam-facebook-for-spread-of-vaccine-misinformation>; Senate Office of Bob Menendez, *Menendez, Hirono, Warren Urge Facebook to take Immediate Actions to stop COVID-19 Misinformation in Languages other than English* (May 15, 2020) <https://www.menendez.senate.gov/newsroom/press/menendez-hirono-warren-urge-facebook-to-take-immediate-actions-to-stop-covid-19-misinformation-in-languages-other-than-english>; Senate Office of Bob Menendez, *Menendez Questions Facebook's Misinformation Loophole in Political Speech Policy* (Nov. 14, 2019) <https://www.menendez.senate.gov/newsroom/press/menendez-questions-facebooks-misinformation-loophole-in-political-speech-policy>; Senate Office of Bob Menendez, *Menendez Calls on Facebook to Halt Spread of Coronavirus Misinformation on WhatsApp* (Apr. 07, 2020) <https://www.menendez.senate.gov/newsroom/press/menendez-calls-on-facebook-to-halt-spread-of-coronavirus-misinformation-on-whatsapp>.

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.

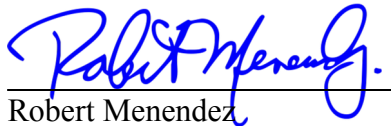
We urge you to engage with our offices on this issue, and request that you respond with detailed information in writing to address the following questions by June 13, 2022:

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?

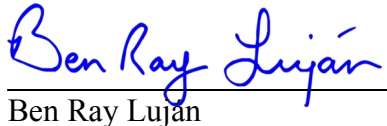
7. How are WhatsApp's policies for reviewing reported messages in the United States different from policies applied in other Spanish-speaking countries, such as Colombia, Mexico, Argentina, and Spain?

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.

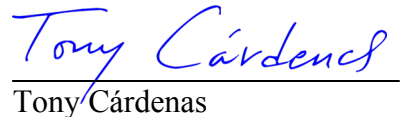
Sincerely,




Robert Menendez
United States Senator



Ben Ray Lujan
United States Senator



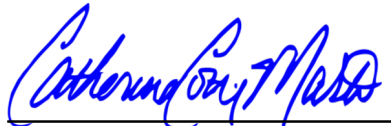
Tony Cárdenas
Member of Congress



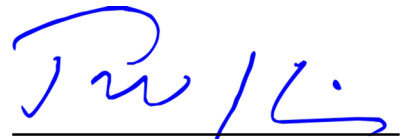
Cory A. Booker
United States Senator



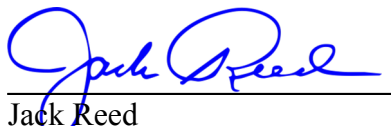
Mazie K. Hirono
United States Senator



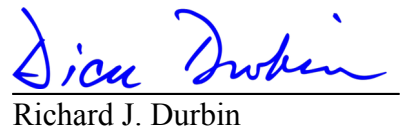
Catherine Cortez Masto
United States Senator



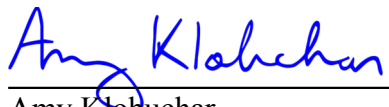
Tim Kaine
United States Senator



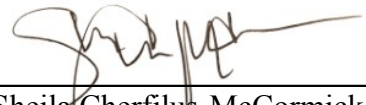
Jack Reed
United States Senator



Richard J. Durbin
United States Senator



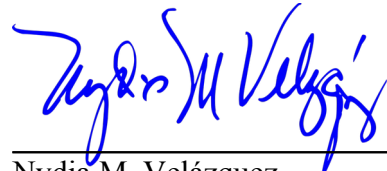
Amy Klobuchar
United States Senator



Sheila Cherfilus-McCormick
Member of Congress



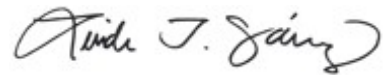
Juan Vargas
Member of Congress



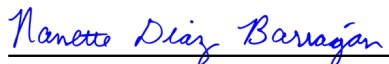
Nydia M. Velázquez
Member of Congress



Rashida Tlaib
Member of Congress



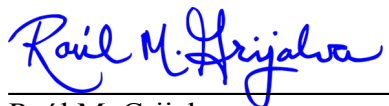
Linda T. Sánchez
Member of Congress



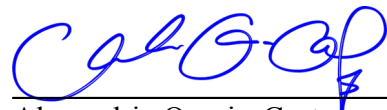
Nanette Diaz Barragán
Member of Congress



Debbie Wasserman Schultz
Member of Congress



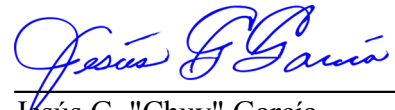
Raúl M. Grijalva
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress



Lucille Roybal-Allard
Member of Congress



Jesús G. "Chuy" García
Member of Congress



Lauren Underwood
Member of Congress



Darren Soto
Member of Congress