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**TCR NO. 15478-612-004**

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**UNITED STATES OF AMERICA  
SECURITIES AND EXCHANGE COMMISSION**

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*In re Facebook Terr [January 18, 2019 Initial Filing]*

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CONFIDENTIAL SUBMISSION – ANONYMOUS WHISTLEBLOWER

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**ANONYMOUS WHISTLEBLOWER'S SECOND SUPPLEMENTAL  
SUBMISSION DATED JUNE 3, 2020**

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DATED: June 3, 2020

June 3, 2020

**CONFIDENTIAL AND ANONYMOUS**

Jane Norberg  
Office of the Whistleblower, Enforcement Division  
U.S. Securities and Exchange Commission  
100 F Street, NE  
Mail Stop 5631  
Washington, D.C. 20549

Dear Ms. Norberg:

We represent a whistleblower who has reported several securities violations to the U.S. Securities and Exchange Commission (“SEC”). Attached to this letter is our fourth TCR supplemental submission in the case. We are asking that this document be held in confidence, although we have no objections to this information being forwarded to law enforcement, regulatory agencies, or other agencies within the definition of the related action provision of the Dodd-Frank Act, provided that these referrals adhere to the Act’s confidentiality rules and that there is no waiver of our whistleblower’s rights to anonymity. We would recommend that the SEC utilize this information in all further investigations into the securities violations cited in our TCR submission.

The enclosed Exhibits<sup>1</sup> 6 and 7 were authored and prepared by the Tech Transparency Project (“TTP”). TTP is a research initiative of Campaign for Accountability, a 501(c)(3) nonpartisan, nonprofit watchdog organization that uses its research to expose misconduct and malfeasance. The study report, “White Supremacist Groups are thriving on Facebook,” was issued on May 21, 2020. Exhibit 8 is an article that was published in the *Wall Street Journal* on May 26, 2020.

Facebook claims that hate groups are not allowed on the platform. CEO Mark Zuckerberg represented to Congress in April 2018 that groups whose primary purpose is spreading hate would be banned from Facebook. In its recent attached study, TTP tested these claims. It found significant flaws in Facebook’s content moderation system. Specifically, TTP’s analysis found the following:

1. Of the 221 designated white supremacists included in the study, more than half—51% or 113 groups—had a presence on Facebook.
2. Those white supremacist organizations are associated with a total of 153 Facebook Pages and four Facebook Groups. Approximately one third of the organizations (34) had two or more Pages or Groups on Facebook, moreover, some had Pages that have been active on the platform for a decade.
3. **Many of the white supremacist Pages identified by TTP were created by Facebook itself.** Facebook auto-generated them as business pages when someone listed a white supremacist or neo-Nazi organization as an employer. This provides additional evidence in

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<sup>1</sup> TCR’s full report, as well as the data that it generated, are included as exhibits.

support of contentions that the company is not merely providing a platform for speech but is actively contributing to radicalization.

4. Facebook's "Related Pages" feature often directed users visiting white supremacist Pages to other extremist content, providing additional evidence that the website is not merely a platform but actively contributing to radicalization.
5. One of Facebook's strategies for combatting extremism, redirecting users who search for terms associated with white supremacy or hate groups to the Page, "Life After Hate," an organization that promotes tolerance, only worked in 6% (14) of the 221 searches for white supremacist organizations.
6. In addition to the hate groups designated by the Southern Poverty Law Center, the Anti-Defamation League, TTP found white supremacist organizations that Facebook had explicitly banned in the past.

Facebook's role in autogenerating Pages for hate and terror groups wholly undermines claims by the company that it bars hate and terror groups and otherwise serves as a content-neutral platform. With Facebook's assistance, white supremacist groups, other hate groups and terror groups are using Facebook to build their movements. The attached report highlights additional flaws in Facebook's content moderation system beyond those identified in previous filings. There is a great divide between Facebook's statements to shareholders and the reality of its handling of hate and terror content, as the attached exhibits make clear.

Facebook has failed to communicate the risks to shareholders of losing its exemption from liability under Section 230 of the Communications Decency Act due to these problems. That law provides immunity from liability to internet companies for user generated content on their websites. The attached Exhibits establish clearly that Facebook itself, rather than its users, generated a significant amount of prohibited content. Facebook faces a clear risk, not disclosed to shareholders, that a court, agency or Congress will determine that auto-generation of hate and terror group Pages, and its failure to promptly remove the pages of prominent hate and terror groups from its website, exempts it from any immunity under Section 230. For example, on May 28, 2020, the President issued "Executive Order on Preventing Online Censorship," highlighting that Facebook's continued immunity to claims related to the content on its website is at risk.

The problem extends beyond simply the auto-generated content. A 2016 internal presentation by a Facebook researcher makes clear that Facebook has recognized for years that its own algorithms are helping terror and hate groups recruit and expand their ranks. As the *Wall Street Journal* recently reported:

"The high number of extremist groups was concerning, the presentation says. Worse was Facebook's realization that its algorithms were responsible for their growth. The 2016 presentation states that '64% of all extremist group joins are due to our recommendation tools' and that most of the activity came from the platform's 'Groups You Should Join' and 'Discover' algorithms. 'Our recommendation systems grow the problem.'"

Exhibit 8. (*Wall Street Journal*, May 26, 2020).

In summary, Facebook has not disclosed to its shareholders and the public its awareness of the gravity of the problem of hate and terror content on its website and its findings that its current policies are exacerbating the problem. Instead it has misleadingly assured shareholders and the public that it has a meaningful and effective strategy to address the problem.

Please feel free to contact us with any further questions. Thank you for your time and consideration.

Sincerely,

/s/ Stephen M. Kohn

Attorney for Anonymous Whistleblower

Attachments:

Exhibit 6: White Supremacist Groups are thriving on Facebook,” (TTP, May 21, 2020)

Exhibit 7 : TTP Report Data

Exhibit 8: “Facebook Executives Shut Down Efforts to make the Site Less Divisive,” *Wall Street Journal*, Tech Report, May 26, 2020.