

FACEBOOK

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USA

July 30, 2021

Attorney General Mark Brnovich  
Office of the Attorney General  
State of Arizona  
2005 N Central Ave  
Phoenix, AZ 85004-2926

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DEPUTY AG

Attorney General Brnovich:

Thank you for contacting us about this matter. We are aware of the increased migration at the southern U.S. border. We have been working diligently to proactively remove content relating to drug trafficking or promoting human smuggling services from our platform.

As an initial matter, our policies prohibit the use of our services for illegal purposes. Our Terms of Service make clear that individuals who violate our policies may be subject to penalties, including but not limited to, having their accounts banned. We don't allow people to sell or solicit drugs on Facebook nor do we allow criminal organizations to operate on our platform. We remove posts and reject ads when we see this kind of behavior to help keep people safe.

We also prohibit sharing content that offers to provide or facilitate human smuggling, which includes advertising a human smuggling service. We do allow people to share information about how to enter a country illegally or request information about how to be smuggled. After consultation with human rights experts, we developed this policy to ensure we were prohibiting content relating to the business of human smuggling but not interfering with people's ability to exercise their right to seek asylum, which is recognized in international law. Allowing people to seek and share information related to smuggling can also help minimize the likelihood of them being exploited by human traffickers.

We use a number of techniques to remove content that violates these policies. As you've noted, we review content that is reported by our users or external sources and remove it if it violates our terms. But it is our goal to remove violating content before it is ever reported. To achieve this, we have automated systems which scan new posts to identify violations. These include tools specifically designed to identify content relating to human smuggling and illegal drugs. When content is flagged by our tools, it is either deleted or queued for further review. In addition, we have market specialists who conduct reviews of content in Latin America to identify posts and Groups that violate our human trafficking policies. If human smuggling posts are identified, it is our policy to remove the content and disable the account of the user who posted it. Our policy of disabling user accounts after only one violation of our human smuggling content policy is among our strictest penalties. We also have tools that limit the ability for users to search for content that may violate our human smuggling policy through the Search tool.

While our enforcement efforts are not perfect—and there is always more work to be done—we have taken strong steps to identify and remove content promoting human smuggling and drug trafficking.

Our ad review process in this space is extremely rigorous. Our ad review system is designed to review all ads before they go live. This system relies primarily on automated technology to apply our Advertising Policies to the millions of ads that run across our apps. While our review is largely automated, we rely on our teams to build and train these systems, and in some cases, to manually review ads.

While ad review is typically completed within 24 hours, it may take longer, and ads can be reviewed again, including after they're live. Based on the results of the review, an ad is either rejected or allowed to run. If an ad is rejected, an advertiser can create a new ad—either with a new ad creative or by revising the rejected ad—or request another review if they believe their ad was incorrectly rejected.

Unlike the initial ad review, we rely more heavily on teams of human reviewers to process re-review requests from advertisers but are continuously assessing ways to increase automation.

Beyond reviewing individual ads, we may also review and investigate advertiser behavior, like the number of previous ad rejections and the severity of the type of violation, including attempts to get around our ad review process. Advertisers who violate our policies may have actions taken against them, including losing the ability to run ads on Facebook.

In addition to those efforts, we also have teams dedicated to enforcing our Dangerous Individuals and Organizations policy which bans criminal organizations, such as drug cartels, from using our platform. Those teams conduct broad investigations of criminal organizations who seek to use our platform and disable violating accounts.

Where appropriate, Facebook also proactively cooperates with law enforcement. Consistent with U.S. legal restrictions on sharing user data, we proactively report criminal activity to law enforcement agencies when we have a good faith belief that there is an imminent risk of harm. We also dedicate significant resources to addressing law enforcement concerns, and we carefully review, validate, and respond to the legal requests we receive from them. This includes prioritizing requests related to emergency situations, including those we receive from federal, state, and local law enforcement agencies.

This letter contains Facebook's confidential and sensitive business information ("Confidential Material"). We respectfully request that you accord confidential treatment to the information enclosed herewith pursuant to Arizona Public Records Law §39-121 et seq. So that Facebook may effectuate these rights, we request that: if any person not a member of the Arizona Office of the Attorney General or its staff, including without limitation any other governmental employee, should request an opportunity to inspect, copy, or otherwise obtain Confidential Material, pursuant to the Arizona Public Records Law or otherwise, or if you or any member of the Arizona Office of the Attorney General or its staff contemplates disclosure of the Confidential Material to any other person, then (to the fullest extent permitted by law) the undersigned requests to be notified of such request, be furnished a copy of all written materials pertaining to such request (including but not limited to the request itself), and be given advance notice of any

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intended release so that we may, if deemed necessary or appropriate, pursue any remedies available.

Please do not hesitate to contact me with further questions.

Sincerely,

/s/ Will Castleberry

William Castleberry  
Vice President, State Public Policy

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